

Also, a bill (H. R. 6501) granting a pension to George A. Ryan; to the Committee on Pensions.

Also, a bill (H. R. 6502) granting an increase of pension to Robert F. Thorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6503) granting an increase of pension to William Duffus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6504) granting an increase of pension to Peter Dowdle; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 6505) granting an increase of pension to Thomas Hayes; to the Committee on Invalid Pensions.

By Mr. CURRY: A bill (H. R. 6506) for the relief of James T. McKenney; to the Committee on Claims.

By Mr. DALE: A bill (H. R. 6507) granting a pension to Mary McBride; to the Committee on Invalid Pensions.

By Mr. DOOLITTLE: A bill (H. R. 6508) for the relief of Joseph B. Riley, alias Thomas B. Keesy; to the Committee on Military Affairs.

By Mr. FARR: A bill (H. R. 6509) granting an increase of pension to Walter S. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6510) granting an increase of pension to Sylvester Knapp; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 6511) granting an increase of pension to John W. Scott; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 6512) granting a pension to Alicia J. Flynn; to the Committee on Invalid Pensions.

By Mr. HOWELL: A bill (H. R. 6513) granting an increase of pension to Zylpha Raymond; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 6514) granting an increase of pension to James Herman; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 6515) for the relief of John Farrell; to the Committee on Military Affairs.

By Mr. LEE of Pennsylvania: A bill (H. R. 6516) granting an increase of pension to Sarah A. Dugan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6517) granting an increase of pension to Regina Allison; to the Committee on Invalid Pensions.

By Mr. MCGILLICUDDY: A bill (H. R. 6518) granting an increase of pension to Calvin C. Hussey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6519) granting an increase of pension to Adeline M. Hannaford; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 6520) to correct pension certificate No. 678122, issued by the Commissioner of Pensions on the 1st day of April, A. D. 1909, to Margaret Barron, as guardian of Mary W. Barron, a minor child of Mahlon Barron, deceased, late of Company I, One hundred and fifty-seventh Regiment New York Volunteer Infantry, entitling said minor child to a pension under the act of June 27, A. D. 1890, until it attained the age of 16 years, beginning on the 17th day of August, A. D. 1908, so as to entitle the said child to such pension beginning on the 22d day of July, A. D. 1907; to the Committee on Invalid Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 6521) granting an increase of pension to Alonzo Dyke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6522) granting an increase of pension to W. H. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6523) granting an increase of pension to Catherine Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6524) granting an increase of pension to Henry Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6525) to reimburse Martha A. Walker for the loss of certain property; to the Committee on War Claims.

By Mr. RAUCH: A bill (H. R. 6526) granting a pension to Robert A. Talbott; to the Committee on Pensions.

Also, a bill (H. R. 6527) granting an increase of pension to Robert Layman; to the Committee on Pensions.

By Mr. REILLY of Connecticut: A bill (H. R. 6528) granting an increase of pension to Polly Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 6529) granting an increase of pension to Nellie C. Downs; to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 6530) for the relief of Michael F. O'Hare; to the Committee on Claims.

Also, a bill (H. R. 6531) for the relief of Paul Butler; to the Committee on Claims.

By Mr. SHARP: A bill (H. R. 6532) granting a pension to Susan E. Nash; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 6533) granting a pension to Emma Ewing; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARCHFELD: Petition of stockholding employees of the United States Steel Corporation and subsidiary companies, protesting against the passage of legislation for the dissolution of the United States Steel Co.; to the Committee on the Judiciary.

By Mr. BEALL of Texas: Petition of the Texas Bankers' Association, Galveston, Tex., favoring the passage of the Newlands bill for the Government to control the waters of the Mississippi River and its tributaries; to the Committee on Rivers and Harbors.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of the estate of Robert Dinkins; to the Committee on War Claims.

By Mr. DYER: Petition of the Stinwinder Wine Co. and the Missouri Wholesale Liquor Dealers' Association, of St. Louis, Mo., protesting against the passage of the sweet-wine bill; to the Committee on Ways and Means.

By Mr. HAWLEY: Petition of the First National Bank of Corvallis, Oreg., relative to certain changes in the monetary system; to the Committee on Banking and Currency.

By Mr. HINDS: Petition of J. and C. Gray, P. E. Priest, and W. H. Soper, committee of the business men of Colon, Me., favoring a duty on paper and asking for the repeal of that part of the Canadian reciprocity act which admits paper free of duty; to the Committee on Ways and Means.

By Mr. KEISTER. Petitions of 146 stockholding employees of the Buckeye Mine, 262 of the Southwest No. 3 Mine, 101 of the Central Mine, 386 of Baggaley Mine, 295 of the Hecla No. 2 Mine, 261 of the Alverton Mine, 175 of the Dorothy Mine, 660 of the Standard Mine, 190 of the Scotdale Mine, 304 of the United Mine, 302 of the Southwest No. 1 Mine, 277 of the Marguerite Mine, 251 of the Calumet Mine, 253 of the Brinkerton Mine, 88 of the Mammoth Mine, 112 of the Mutual Mine, 448 of the Hecla Nos. 1 and 3 Mines, 53 of the Southwest No. 2 Mine, all of the H. C. Frick Coke Co.; 365 of the Whitney Mine and 344 of the Hostetter Mine, of the Hostetter-Connellsville Coke Co., protesting against a dissolution of the United States Steel Corporation; to the Committee on the Judiciary.

By Mr. HOWELL: Petition of the board of governors of the Commercial Club of Salt Lake City, favoring providing adequate quarters for our foreign representatives; to the Committee on Foreign Affairs.

By Mr. LEVY: Petition of sundry citizens of Turlock, Cal., protesting against the passage of any legislation for the diversion of the waters of the watershed of the Tuolumne River; to the Committee on Irrigation of Arid Lands.

Also, petition of D. Boosing, Buffalo, N. Y., favoring the passage of a 1-cent letter-postage rate; to the Committee on the Post Office and Post Roads.

By Mr. MANN: Petition of Charles D. Boyles, vice president of the Hoboken Shore Road, Hoboken, N. J., favoring the passage of House bill 1723, for the purpose of improving the Consular Service; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Petition of the city council of Boise City, Idaho, favoring the passage of legislation granting to Boise City the Boise Barracks for park and other benevolent purposes; to the Committee on Military Affairs.

By Mr. WILLIS: Petition of the National Eclectic Medical Association, protesting against the establishment of a national department of health; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, June 27, 1913.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. STONE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1966. An act to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909;

H. R. 6282. An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon

all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes;

H. J. Res. 103. Joint resolution appropriating \$4,000 to defray traveling expenses of soldiers of the Civil War, now residing in the District of Columbia, from Washington, D. C., to Gettysburg, Pa., and return; and

H. J. Res. 98. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' Reunion, to be held at Brunswick, Ga., in July, 1913.

PETITIONS.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the establishment on the Pacific coast of an agency of the Bureau of Foreign and Domestic Commerce, Department of Commerce, which was referred to the Committee on Commerce.

Mr. LA FOLLETTE. I present a joint resolution of the Legislature of Wisconsin, which I ask may be printed in the RECORD, and referred to the Committee on Banking and Currency.

There being no objection, the joint resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Joint resolution memorializing Congress to amend section 5219 of the Revised Statutes of the United States, relating to the taxation by the several States of shares of stock in national banking associations.

Whereas under the provisions of the national banking act the several States are permitted to include all the shares in any national banking association in the valuation of the personal property of the owner or holder of such shares in assessing taxes imposed by the authority of the State within which the association is located; and

Whereas it is the policy of this State to substitute for the system of direct personal property taxation upon intangible property a system of income taxation; and

Whereas it is but just and right that all corporations engaged in banking should be assessed in the same manner and at the same rate as domestic corporations whose income is derived from intangible property and moneyed capital: Therefore be it

Resolved by the assembly (the senate concurring). That we respectfully memorialize the Congress of the United States so to amend the national banking act as to permit those States in which a system of income taxation shall have been substituted in whole or in part for direct personal-property taxation upon intangible property to assess and tax the income of national banking associations in the same manner and at the same rate as shall be provided in respect to the income of domestic corporations derived from intangible property or moneyed capital: Be it further

Resolved. That a copy of the foregoing be immediately transmitted by the secretary of state to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives, and to each of the Senators and Representatives of this State.

MERLIN HULL,
Speaker of the Assembly.
H. C. MARTIN,
President of the Senate.
C. E. SHAFFER,
Chief Clerk of the Assembly.
F. M. WYLIE,
Chief Clerk of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 2651) providing for the purchase and disposal of certain lands containing kaolin, kaolinite, fuller's earth, and other minerals within portions of Indian reservations heretofore opened to settlement and entry; to the Committee on Public Lands.

By Mr. BRISTOW:

A bill (S. 2652) granting a pension to Mary A. Pierce; to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 2653) for the relief of the Medawakanton and Wahpakoota Bands of Sioux Indians, otherwise known as the Santee Sioux Indians; to the Committee on Indian Affairs.

A bill (S. 2654) granting an increase of pension to Louisa Graham; and

A bill (S. 2655) granting an increase of pension to Louise Compton; to the Committee on Pensions.

INDIAN APPROPRIATION BILL.

Mr. STONE. Mr. President, I present the conference report on House bill 1917, the Indian appropriation bill.

The VICE PRESIDENT. The Secretary will read the report.

Mr. GALLINGER. The report has already been read in full. I ask unanimous consent that it be not read again.

The VICE PRESIDENT. The reading will be dispensed with, if there be no objection.

Mr. STONE. Mr. President, I was going to ask that the reading of the report be dispensed with, for the reason that it was printed this morning in the RECORD of the House proceedings, and for the further reason that a printed copy of the report has been laid on the desk of each Member of the Senate. However, I wish to make a very brief statement, that it may

appear in the RECORD. On yesterday I presented this report, and found after the reading of it had been commenced that through the error of a stenographer who had written it up one of the amendments had been omitted, and I asked to withdraw it that the correction might be made. I again presented it, and on being interrogated by the Senator from New Mexico [Mr. FALL] I stated that another error in the report had been discovered, and I withdrew it the second time. That was my mistake. The item about which the Senator from New Mexico inquired, as a matter of fact, was already incorporated.

I desire, in justice to the clerks of the Senate committee, to say that the mistake at that time was my own entirely. I will take this occasion to say that I think those officials are among the most efficient in the service of the Senate.

Now, Mr. President, if there is nothing more to be said, I move that the report of the conference committee be agreed to.

Mr. GALLINGER. Mr. President, before the vote is taken on agreeing to the conference report, I wish simply to say that yesterday I interrogated the Senator from Missouri [Mr. STONE] as to whether or not any new matter had been inserted in the conference report. The Senator gave assurances that so far as he knew no new matter had been incorporated in the report. I have examined it with a good deal of care, Mr. President, and I find that while there are one or two inconsequential matters that might be questioned the report is not subject to any criticism on that point.

There is one other matter, Mr. President, I want to call attention to. When the bill was under consideration in the Senate a paragraph was in the House bill reading as follows.

Mr. LA FOLLETTE. On what page?

Mr. GALLINGER. On page 4:

For the suppression of the traffic in intoxicating liquors and peyote among Indians, \$100,000.

The Senate committee recommended that the words "and peyote" be stricken out. I took occasion to inquire what peyote was, believing that very few Senators had any more knowledge on the subject than I had. The Senator from New Mexico [Mr. FALL] gave what he thought was a correct definition of the term, saying, in substance, that it was a medicinal plant that the Indians use for purposes of exhilaration if not intoxication. The explanation was satisfactory to me, but in the morning mail I received a letter from Frank W. Clancy, an old friend of mine, who was a Delegate from the Territory of New Mexico some years ago and who is now the attorney general of the State of New Mexico. Mr. Clancy, having noticed the inquiry I made, in this letter illuminates the subject, and I am going to ask consent to have it read for two purposes. First, for the purpose of informing all Senators as to precisely what this herb is; and, second, for the purpose of testing the well-known abilities of our accomplished reading clerk to correctly pronounce a good many words he will find in the letter. I ask unanimous consent that it be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read the letter.

The Secretary read as follows:

STATE OF NEW MEXICO,
OFFICE OF THE ATTORNEY GENERAL,
Santa Fe, June 23, 1913.

Hon. J. H. GALLINGER,
United States Senate, Washington, D. C.

DEAR SIR: In recent dispatches I have noticed that on the floor of the Senate you asked for information as to what "peyote" is, and while the answer given is correct as far as it goes, it was not sufficient to give you a full idea of the character and uses of this plant. It is, of course, not a matter of great practical importance, but sometimes a man may take greater interest in such things than in those of more serious import and I can imagine that your professional experience might prompt you to a desire to have knowledge of such dangerous vegetable growths.

The word is not Spanish and I do not believe that it can be found in any standard Spanish dictionary. I have examined at least three without finding it. The only place where I have found anything about it is in the *Diccionario de Aztequismos*, a very remarkable work by Cecilio A. Robelo, of Cuernavaca. He gives it in two ways, "peyote" and "piote," the original word being "peyoti." He defines it as being a medicinal plant which has various and pleasing (or perplexing) uses, and says that some medical men consider it a substitute for cocaine.

In a note as to this word he says that Father Sahagún, speaking of certain herbs which are intoxicating, says, "There is another herb like prickly pears which is called peyoti, is white, and grows toward the northern portions; those who eat or drink it see visions terrifying or laughable; this drunkenness lasts two or three days and then stops; and it is a common food of the Chichimecas, as it nourishes them and gives courage to fight and takes away fear, thirst, and hunger; and they say it guards them against all danger." The author further says that Dr. Hernandez alone enumerates two kinds of peyote, that of Xochimilco and that of Zacatecas; but at the present time it has been found in many parts of the Republic. In their physiological effects they are quite different. Pharmacy has extracted from the peyote of Zacatecas (*Anhalonium lewinii*) as many as four alkaloids. The Indians of Tepic use it as a strengthening medicine. They rub themselves with the ground root along the joints (or articulations), and thus they are able to travel great distances without fatigue. It is also stated that the technical Latin names for this plant, evidently of several varieties of it, are *Anhalonium fissuratum*, *Anhalonium williamsii*,

Senecio colophyllus, *Senecio cardiophyllus*, *Senecio petasitis*, *Senecio hartwegii*, and *Cotyledon cuspitosa*.

The effects of peyote are so serious that the Spanish authorities prohibited its use, as will appear by reference to one of the old Spanish archives which are now in the Library of Congress, which contains the record in eight folios of a prosecution against an Indian of Taos for having drunk the herb called peyote. The record of this proceeding covers 9 or 10 days, from February 3, 1720, to February 12, 1720, and is numbered 306 in an index which was made by Prof. Bandelier, but the arrangement and numbering in the Library of Congress are different. If you have any curiosity about it you can readily obtain a copy or translation, or both, from the Library. It is many years since I saw this document and I do not recall any of the details, but remember only that it was clearly a criminal offense for the Indians to make use of peyote.

Yours, very truly,

FRANK W. CLANCY.

Mr. GALLINGER. Mr. President, I wish to express my gratification at the charming and satisfactory manner in which the reading clerk read that document.

I wish further to say, Mr. President, that had I received that letter before we agreed to strike out the words "and peyote" in the Indian appropriation bill I think I should have made a strenuous effort to have retained them. Manifestly it is a dangerous drug. It seems that it makes Indians "see visions," and we all know what people are liable to do when they see visions. But as the matter has progressed to the point of having a conference report submitted, and it is impossible to make any amendment to the bill, I will content myself by expressing gratification that it has been my privilege to give so much instruction to the Senate as to what peyote really is.

Mr. STONE. I should think, Mr. President, that anything so mysterious as that described in that letter ought to appear in some bill somewhere.

Mr. FALL. Mr. President, in view of the fact that my explanation of the ordinary use of peyote brought forth this learned paper from a gentleman for whom I have the very highest respect as a legal authority, I will say that if I had known that peyote had so many different names I might possibly have been more impressed with the subject myself.

Peyote, as it is called in our southwestern country, is a prickly pear. It is the bud of the prickly pear. I have never heard that it had any cocaine nor was it so claimed by the surgeons or physicians in the Indian Department who have investigated the matter, but it undoubtedly has some intoxicating effect. It is used in religious observances.

Mr. STONE. I renew my motion, Mr. President, that the conference report be agreed to.

Mr. GRONNA. Mr. President, I do not rise for the purpose of delaying action on the bill more than a single moment. I know that the chairman of the committee has been most patient in his work; I simply wish to express my disapproval of the language as it is expressed in the report in changing section No. 26—

Mr. LA FOLLETTE. On what page?

Mr. GRONNA. It is on page 89 of the bill.

Mr. STONE. Will the Senator advise me again to what amendment he refers,

Mr. GRONNA. I refer to section 26, the new section added by the Senate committee.

While I do not intend to delay the adoption of the report, I simply want to express my disapproval of the change of that amendment.

Mr. STERLING. Mr. President, I do not rise to oppose at all, or to obstruct in any way, the adoption of the report, but in view of my connection with an amendment introduced, which was adopted by the Senate and which was stricken out in the conference, I wish to call attention to some statements that have been made in the RECORD. I refer to the amendment providing for the payment of the claim of the heirs of John W. West.

I find, on referring to the RECORD of the 20th, during the course of some remarks by Congressman BURKE, of South Dakota, this colloquy:

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. BURKE of South Dakota. Yes.

Mr. STEPHENS of Texas. Is the gentleman aware that the John W. West claim, which has been defeated several times in this House, has been put on this bill?

Mr. BURKE of South Dakota. I understand that it is one of the amendments.

The Indian appropriation bill was then under discussion in the other House, and inquiry was being made as to certain amendments which had been adopted by the Senate. This is the colloquy with reference to this particular amendment.

Mr. President, the statement implied in the question and in the answer is altogether misleading, and, in order that no person may be misled in the future in the other House or in the Senate in case this amendment should ever again be introduced, I wish briefly to call attention to an abstract of the record in regard to this claim. Instead of this amendment as

it appears here having been defeated several times in the other House, as might be inferred from this colloquy, this, in a few words, is the history of the claim in the other House and in the Senate: The bill has been many times before Congress. It was before Congress at every session from the Forty-eighth to the Fifty-fourth Congress, both inclusive. During the Fiftieth Congress the senior Senator from Minnesota [Mr. NELSON], then a Member of the House, introduced the bill and it was favorably reported by the committee, but no action was taken by the other House, no vote being reached.

In the Fifty-fourth Congress H. R. 4515 was reported from the committee unanimously and favorably by Mr. Little, of Arkansas.

As to the other bills introduced during these several Congresses, they were referred to committees, and there were no reports upon them. No other bills covering this matter were introduced until the Sixty-first Congress, and then there was the only adverse report ever made on this bill.

Why was that adverse report made? The bill was not considered on its merits at the time. The report shows that the evidence submitted at that time was incomplete and fragmentary. While there was then a subcommittee appointed to consider the bill, the subcommittee never made a report on the bill; at least, it never made any written report. If there was a report made, it was simply an oral report to the full committee.

A bill was introduced in the Sixty-second Congress, referred to a subcommittee, and received a unanimous report at the hands of that subcommittee and was favorably reported to the House. Another bill was introduced and favorably reported by a subcommittee in January, 1913, but the bill never reached a vote in the other House. It was then agreed that the matter should be referred to the Court of Claims. The agreement made at that time was a compromise agreement reached in the House committee, the bill having passed the Senate in the shape of an amendment to an appropriation bill.

It was not, however, referred to the Court of Claims. It came before the Senate in this Congress first in a bill introduced by myself; secondly, in an amendment to an appropriation bill submitted by the Senator from North Dakota [Mr. McCUMBER], and then as an amendment finally proposed by myself to an appropriation bill.

What, then, has been its course in the Senate? It passed first in the Sixty-first Congress, once as a bill and again as an amendment to an appropriation bill. It passed the Senate twice in the Sixty-second Congress, and passed once again in the Senate in the Sixty-third Congress.

So it has been reported favorably not less than four times by a House committee and has passed the Senate five times.

I think this makes a complete answer to the statement that this bill has been several times defeated.

Now, Mr. President, I simply want to submit in connection with what I have said a short extract from the report of the House subcommittee that last passed upon this bill, that report having been made in January, 1913, and will ask to have it printed in connection with what I have said.

The VICE PRESIDENT. If there is no objection, that will be done.

The extract referred to is as follows:

This judgment or award, final and conclusive under the treaty and binding upon all parties, has never been paid. The doctrine of res adjudicata clearly applies to this award, whether considered from a judicial, executive, or legislative point of view. That doctrine amounts simply to this, that a cause of action once finally determined between the parties on the merits by a competent tribunal can not afterwards be litigated by a new proceeding either before the same or any other tribunal (100 Mass., 409); it is a general principle that a decision by a court of competent jurisdiction of matters put in issue by the pleadings is binding and conclusive upon all other courts of concurrent power and between the parties and their privies (168 U. S., 48); and it is a principle of public policy as well as a matter of private right (34 N. J. Eq., 535).

The rate of interest fixed in the bill, namely, 5 per cent per annum, is the same rate allowed the Cherokee Nation on its claims against the United States Government, arising in part out of the same treaty, by the Supreme Court of the United States in *Cherokee Nation v. United States* (202 U. S., 101), wherein the court allowed interest from the date the Government took the property of the Cherokee Nation.

The United States was a party to the treaty. It guaranteed fulfillment of the treaty provisions. The commission was appointed pursuant to the terms of the treaty. The award was regularly made. By the terms of the treaty it was a finality. The Government of the United States can not now shirk its responsibility, particularly as two Secretaries of the Interior—the officer of this Government whose duty it is to supervise such matters, and men whose legal ability and fairness all men must concede—examined into the award with care and approved it in all respects. The Government of the United States is in honor bound to see that this award is paid.

There has been no negligence on the part of the claimants in prosecuting their claim. They are not in fault. The delay in the payment of the award has been due to the failure of the House of Representatives to concur in legislation directing its payment, which has frequently come before it for action. On account of the long delay, for

which Congress alone is responsible, your committee urges action at this session in order that the beneficiaries—Cherokee Indians—who have already waited for justice at our hands for many years, may no longer be subjected to the injustice which they have so long endured.

A. W. RUCKER.
H. T. HELGENSEN.
THOMAS F. KONOP.

The VICE PRESIDENT. The question is on agreeing to the report of the committee of conference.

The report was agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1917) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 8, 13, 14, 16, 17, 19, 20, 22, 23, 24, 26, 30, 31, 38, 40, 41, 45, 46, and 50.

That the House recede from its disagreements to the amendments of the Senate numbered 1, 2, 3, 4, 6, 7, 9, 12, 15, 18, 27, 32, 34, 37, 39, 42, 43, 44, 47, 48, 49, 52, and 54, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the amendment proposed insert the following:

"*Provided*, That hereafter upon the determination of the heirs of a deceased Indian by the Secretary of the Interior there shall be paid by such heirs or from the estate of such deceased Indian or deducted from the proceeds from the sale of the land of the deceased allottee or from any trust funds belonging to the estate of the decedent, the sum of \$15, to cover the cost of determining the heirs to the estate of the said deceased allottee, which amount shall be accounted for and paid into the Treasury of the United States and a report made annually to Congress by the Secretary of the Interior on or before the first Monday in December of all moneys collected and deposited as herein directed."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In line 1 of the proposed amendment strike out the word "thorough"; and in lines 36 and 37 of the amendment strike out the words "at the second session of" and insert the word "during"; and in line 43 of the proposed amendment strike out "\$50,000" and insert "\$25,000"; and the Senate agree to the same.

Amendment numbered 11½: That the House recede from its disagreement to the amendment of the Senate numbered 11½, and agree to the same with an amendment as follows: In line 3 of the proposed amendment, after the word "completed," insert the word "separate"; and the Senate agree to the same.

Amendment numbered 11¾: That the House recede from its disagreement to the amendment of the Senate numbered 11¾, and agree to the same with an amendment as follows: In line 15 of page 4 of the proposed amendment, strike out the words "Sec. 2." at the beginning of the line, and in line 17 of page 4 of the proposed amendment strike out the words "Sec. 3." at the beginning of the line, and in line 1 of page 5 of the proposed amendment, strike out the words "Sec. 4." at the beginning of the line; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$325,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In line 1 of the proposed amendment strike out the words "the balance" and insert "\$50,000"; and in lines 3, 4, and 5 of the proposed amendment strike out the words "or which shall hereafter be deposited to their credit, including the proceeds from the sale of surplus lands"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the amendment proposed insert the following:

"Sec. 13. For support and education of 400 Indian pupils at the Indian school at Albuquerque, N. Mex., and for pay of superintendent, \$68,000; for general repairs and improvements, \$5,000; new buildings, \$15,000; in all, \$88,000."

And the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the amendment proposed insert the following: "For support and education of 300 Indian pupils at the Indian school at Santa Fe, N. Mex., and for pay of superintendent, \$51,900; for general repairs and improvements, \$6,000; for water supply, \$1,600; for girls' dormitory, \$18,000; in all, \$77,500"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the amendment proposed insert the following: "For support and education of 200 Indian pupils at the Indian school, Wahpeton, N. Dak., and pay of superintendent, \$35,200; for general repairs and improvements, \$5,000; for addition to barn, \$2,500; for dairy cows, \$1,000; in all, \$43,700"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In line 9 of the proposed amendment strike out the word "five" and insert "four" in lieu thereof; and in line 17 of the amendment strike out the period and insert a colon, and insert the following: "*Provided further*, That the Secretary of the Interior is hereby authorized in his discretion to grant to settlers a preference right to purchase for 90 days from and after notice, at the appraised price, exclusive of improvements, such lands as were occupied by such settlers in good faith on January 1, 1913"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the amendment of the Senate insert the following: "That the Secretary of the Interior is hereby authorized in his discretion to extend each of the deferred payments on the town lots of the north addition to the city of Lawton, Okla., one year from the date on which they become due under existing law: *Provided*, That no additional extension shall be granted: *And provided further*, That no title shall issue to any such purchaser until all deferred payments, interest, and taxes have been made as provided in the act of March 27, 1908 (35 Stat., p. 49), and the act of February 18, 1909 (35 Stat., p. 637)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the proposed amendment of the Senate, insert the following: "A commission consisting of two members of the Senate Committee on Indian Affairs, to be appointed by the chairman of said committee, and two Members of the House of Representatives, to be appointed by the Speaker, is hereby created for the purpose of investigating the necessity and feasibility of establishing, equipping, and maintaining a tuberculosis sanitarium in New Mexico for the treatment of tuberculous Indians, and to also investigate the necessity and feasibility of procuring impounded waters for the Yakima Indian Reservation or the construction of an irrigation system upon said reservation, to impound the waters of the Yakima River, Washington, for the reclamation of the lands on said reservation and for the use and benefit of the Indians of said reservation. That said commission shall have full power to make the investigations herein provided for, and shall have authority to subpoena and compel the attendance of witnesses, administer oaths, take testimony, incur expenses, employ clerical help, and do and perform all acts necessary to make a thorough and complete investigation of the subjects herein mentioned, and that said commission shall report to Congress on or before January 1, 1914: *Provided*, That one-half of all necessary expenses incident to and in connection with the making of the investigation herein provided for, including traveling expenses of the members of the commission, shall be paid from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate on vouchers therefor signed by the chairman of the said commission, who shall be designated by the members of the said commission." And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 3 of the proposed amendment insert the word "actually" after the word "land" and strike out "\$400," in line 7 of the amendment, and insert "\$250" in lieu thereof, so as to read as follows:

"That the Secretary of the Interior be, and he is hereby, authorized to purchase for the Skagit Tribe of Indians in the

State of Washington the tract of land actually used by them as a tribal burial ground, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250, or so much thereof as may be necessary, to carry out this provision."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the amendment proposed insert the following:

"SEC. 26. On or before the 1st day of July, 1914, the Secretary of the Interior shall cause a system of bookkeeping to be installed in the Bureau of Indian Affairs, which will afford a ready analysis of expenditures by appropriations and allotments and by units of the service, showing for each class of work or activity carried on the expenditures for the operation of the service, for repairs and preservation of property, for new and additional property, salaries and wages of employees, and for other expenditures. Provision shall be made by the Secretary of the Interior for further analysis of each of the foregoing classes of expenditures if, in his judgment, he shall deem it advisable.

"Annually, after July 1, 1914, a detailed statement of expenditures, as hereinbefore described, shall be incorporated in the Annual Report of the Commissioner of Indian Affairs and transmitted by the Secretary of the Interior to Congress on or before the first Monday in December.

"Before any appropriation for the Indian service is obligated or expended, the Secretary of the Interior shall make allotments thereof in conformity with the intent and purpose of this act, and such allotments shall not be altered or modified except with his approval.

"After July 1, 1914, the estimates for appropriations for the Indian service submitted by the Secretary of the Interior shall be accompanied by a detailed statement, classified in the manner prescribed in the first paragraph of this section, showing the purposes for which the appropriations are required."

And the Senate agree to the same.

WM. J. STONE,
H. L. MYERS,
MOSES E. CLAPP,
Managers on the part of the Senate.
JOHN H. STEPHENS,
C. D. CARTER,
CHAS. H. BURKE,
Managers on the part of the House.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Finance:

H. R. 1966. An act to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909; and

H. R. 6282. An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes.

EXPENSES OF DISTRICT VETERANS TO GETTYSBURG, PA.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution received this day from the House of Representatives, which the Secretary will read.

The joint resolution (H. J. Res. 103) appropriating \$4,000 to defray traveling expenses of soldiers of the Civil War now residing in the District of Columbia, from Washington, D. C., to Gettysburg, Pa., and return, was read twice by its title.

Mr. KERN. Mr. President, I ask unanimous consent for the present consideration of the joint resolution just laid before the Senate.

Mr. FALL. Mr. President, I do not know that I have any objection to that joint resolution, but on yesterday I gave notice that I would call up Senate joint resolution No. 43 at the close of morning business, not, however, to interfere with the consideration of the conference report on the Indian appropriation bill.

Mr. KERN. This is a joint resolution to appropriate \$4,000 to pay the expenses of certain veterans to the Gettysburg celebration.

Mr. FALL. I have no objection whatever to that.

Mr. SMOOT. Mr. President, I simply want to say to the Senator that I think the proper procedure would be to have the joint resolution referred to the committee and let the committee speedily report it to the Senate. Joint resolutions and bills coming from the other House are always referred to a committee,

If the Senator from Indiana has no objection, I think that would be the proper course to pursue as to this joint resolution. I think it can be reported back from the committee in a very few minutes as I know of no objection whatever to it.

Mr. KERN. To what committee should the joint resolution be referred?

Mr. SMOOT. To the Committee on Appropriations, I think.

Mr. KERN. The chairman of that committee is not now present.

Mr. BRISTOW. I should like to inquire of the Senator from Indiana if this joint resolution provides for paying the expenses of the veterans in the District of Columbia to Gettysburg and return?

Mr. KERN. I understand that is the purpose of the joint resolution.

Mr. BRISTOW. Why should the expenses of the veterans in the District of Columbia be paid any more than those of veterans living in the States?

Mr. VARDAMAN. The States have made similar provision as to their veterans.

Mr. KERN. The States have done so.

Mr. BRISTOW. If the States have paid such expenses, then, of course, I think the District should do so; but if the National Government pays the expenses of veterans from the District, it seems that all veterans in the States ought to be treated in exactly the same way.

Mr. KERN. I am quite sure that the Indiana Legislature has made an appropriation for the payment of the expenses of the veterans living in that State.

Mr. GALLINGER. Most of the States have done so.

Mr. KERN. Most of the States have done so. The Southern States have also made appropriations for this purpose.

Mr. NORRIS. The joint resolution provides that one half the expenses shall be paid out of the District funds and the other half out of the Government funds.

Mr. BRISTOW. It is the same as though it came from a State treasury.

Mr. NORRIS. The same as if it came from a State.

Mr. VARDAMAN. If the Senator from Indiana will pardon the suggestion, I will say, in reply to the question of the Senator from Kansas [Mr. Bristow], that almost all of the States of the Republic have paid the expenses of the veterans attending the Gettysburg reunion. Mississippi is paying the expenses of her representatives there, and almost all the States in the Republic, so far as I know, are paying such expenses. I think the District of Columbia should pay the expenses of the veterans from this District.

Mr. BRISTOW. I have not the slightest objection to that. All I wanted was for the veterans in the States to have exactly the same treatment as the veterans in the District will receive.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. SMOOT. I am not going to object to the present consideration of the joint resolution, but I want it distinctly understood that this is not to be considered as a precedent established by the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 103) appropriating \$4,000 to defray the traveling expenses of soldiers of the Civil War now residing in the District of Columbia from Washington to Gettysburg, Pa., and return.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc. That to defray the traveling expenses of all honorably discharged soldiers of the Civil War, and of all soldiers of the Confederate Armies who rendered honorable service therein now residing in the District of Columbia, from Washington, D. C., to Gettysburg, Pa., and return, to enable such soldiers to attend the celebration of the fiftieth anniversary of the Battle of Gettysburg, to be held at Gettysburg, July 1, 2, 3, and 4, 1913, there is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, the sum of \$4,000, or so much thereof as may be necessary.

That such appropriation shall be expended by a commission, consisting of the Secretary of War, Col. Thomas S. Hopkins, past commander of the Grand Army of the Republic, Department of the Potomac, and Capt. D. B. Mull, ex-commander of the United Confederate Veterans, of a post in Georgia, residents of the District of Columbia.

That said commission is authorized to adopt such rules for the determination of the persons entitled to transportation hereunder as they may deem proper.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONFEDERATE VETERANS' REUNION, BRUNSWICK, GA.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution received this day from the House of Representatives, which will be read.

The joint resolution (H. J. Res. 98) authorizing the Secretary of War to loan certain tents for the use of the Confederate Veterans' reunion, to be held at Brunswick, Ga., in July, 1913, was read twice by its title.

Mr. SMITH of Georgia. Mr. President, a couple of words have been left out of that joint resolution which it ought to contain, and, if there is no objection, I should like to have the joint resolution taken up and acted on now and to offer an amendment of two or three words to it.

The VICE PRESIDENT. The Senator from Georgia asks unanimous consent for the present consideration of the joint resolution.

Mr. GALLINGER. I will ask the Senator if the consideration of the joint resolution is a matter of urgency, or whether it might not go over without injury to anyone?

Mr. SMITH of Georgia. I understand that the tents will be needed probably next week, though I am not sure about it. The joint resolution says in July, but the exact date in July I do not know.

Mr. GALLINGER. The only point I would make is the same as that made by the Senator from Utah [Mr. Smoot] a moment ago, that if there is time to refer the joint resolution to a committee and have it reported back, it would be a better method of legislative procedure.

Mr. SMITH of Georgia. Then, I ask that the joint resolution be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Military Affairs.

THE CURRENCY.

Mr. OWEN. I desire to ask for the adoption of an order to print 25,000 copies of the proposed currency bill for distribution, 10,000 to go to the document room and 15,000 to the committee.

The VICE PRESIDENT. The Secretary will read the order. The Secretary read as follows:

Ordered. That there be printed 25,000 additional copies of Senate bill No. 2639, "A bill to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording a means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes," of which 10,000 shall be placed in the Senate document room for distribution and 15,000 shall be for the use of the Committee on Banking and Currency.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I should like to ask the Senator if he has an estimate as to the cost of this printing?

Mr. OWEN. It comes within the \$500 limit, I will say to the Senator.

Mr. SMOOT. The Senator assures me that the expense will be under \$500, and therefore I have no objection.

Mr. NORRIS. Mr. President, if the Senator from Oklahoma will yield to me, I should like to inquire of the Senator if he would not be willing to change his resolution so as to provide for the printing of a larger number of copies.

Mr. OWEN. The resolution now provides for 25,000 copies.

Mr. NORRIS. I am satisfied that 25,000 copies will not come anywhere near supplying the demand.

Mr. OWEN. We could easily enlarge the number afterwards from the plates, if necessary.

Mr. NORRIS. Has the Senator made any inquiry—

Mr. OWEN. I will say to the Senator that we can not under the \$500 rule go beyond the number provided for in the order.

Mr. NORRIS. Without the Committee on Printing passing upon it.

Mr. OWEN. It would have to go to the Committee on Printing, which would delay the matter, and there is already a very urgent demand for a considerable number of copies.

Mr. NORRIS. I think the Senator will find that we need at least twice that many.

Mr. OWEN. Then there can be a reprint.

Mr. SMOOT. In order to have more than that number printed it would have to be a concurrent resolution, and not only pass the House, but the Senate. I will say to the Senator from Nebraska that the House has already ordered 25,000 or 50,000 copies of this bill—I forget which.

Mr. OWEN. Twenty-five thousand copies.

Mr. NORRIS. But those 25,000 copies are not for the use of the Senate, as I understand.

Mr. OWEN. No.

Mr. NORRIS. The members of the Senate will not be given any of that number.

Mr. SMOOT. I will say, Mr. President, that by a resolution which was passed in the Senate not long ago, I think authority was given to the chairman of the Committee on Banking and Currency to have done what printing was necessary for the committee. Therefore, I suggest to him that if he provides

25,000 copies for the use of the Senate he has authority under that resolution to print whatever additional number the committee may need, and the matter may be arranged in that way better than to have another resolution passed.

Mr. NORRIS. That being true, if the committee has authority to print what they need, why can not the order provide that the whole 25,000 copies shall be for the use of Senators?

Mr. OWEN. I question the authority under that resolution, and that is the reason I ask the Senate now to adopt the order I have presented.

Mr. NORRIS. But 15,000 of the 25,000 copies provided for under the order which the Senator has presented will go to the committee, and will not be for distribution among Members of the Senate.

Mr. OWEN. I will be very glad to have that reversed, so that 15,000 copies will go to the document room and 10,000 to the committee.

Mr. NORRIS. I will be glad if the Senator will do that.

Mr. OWEN. I ask to modify the order in that way.

The VICE PRESIDENT. In the absence of objection the order will be so modified. The question is on agreeing to the order.

The order was agreed to.

Mr. OWEN. I ask to have printed as a Senate document for the convenience of the Senate a statement or abstract prepared in regard to the bill (S. 2639) to provide for the establishment of Federal reserve banks, for furnishing an elastic currency, affording means of rediscounting commercial paper, and to establish a more effective supervision of banking in the United States, and for other purposes, which was introduced by me on the 26th instant. I ask that the statement be referred to the Committee on Banking and Currency to accompany that bill.

The VICE PRESIDENT. Without objection, it is so ordered. (S. Doc. No. 117.)

EXPORTATION OF ARMS TO MEXICO.

Mr. FALL. Mr. President, I gave notice on yesterday that this morning I would call up Senate joint resolution No. 43. I now do that for the purpose of addressing the Senate as briefly as I possibly can upon a subject which I think is of the utmost importance, and which should receive, as it undoubtedly, in my judgment, merits, some immediate consideration in view of the very critical condition of affairs, growing more critical every moment, upon our southern border.

The VICE PRESIDENT. The Secretary will read the joint resolution called up by the Senator from New Mexico.

The Secretary read the joint resolution (S. J. Res. 43) to repeal the joint resolution of March 14, 1912, authorizing the President to prohibit the exportation of arms, etc., as follows:

Whereas the provisions of the joint resolution of March 14, 1912, authorizing the President to prohibit the exportation of arms and munitions of war under certain circumstances, and the proclamation of the President of the United States, issued on the 14th day of March, in the year 1912, under the authority of said resolution, have been and are now being so construed by the authorities charged with the enforcement of the same as to prohibit the exportation of arms and munitions of war to one or more of the contending factions in the Republic of Mexico and to authorize and permit such exportation of arms and munitions to one or more of such contending factions; and

Whereas there has been for more than two years last past continuous strife and armed conflict between various contending factions within the Republic of Mexico and the different States thereof; and

Whereas the enforcement of such law and the proclamation putting same in effect has, as is shown by the evidence taken by the Senate committee under Senate resolution 335, Sixty-second Congress, second session, caused attacks upon American citizens residing or temporarily being in Mexico, the destruction of the property of such American citizens, the holding of such citizens for ransom, and has resulted in engendering between such and other American citizens and the great mass of Mexicans feelings of antagonism and distrust, and is destroying the traditional friendship between the people of the two countries; and

Whereas it is the desire of the Government of the United States to remain entirely neutral and to take no part, directly or indirectly, in the internal affairs of the Republic of Mexico, and to restore and maintain the friendship and good feeling heretofore existing between the citizens of the two countries: Therefore

Resolved, etc. That the joint resolution of March 14, 1912, amending the joint resolution of April 22, 1898, authorizing the President to prohibit the exportation of arms and materials of war, etc., be, and the same is hereby, repealed.

Mr. FALL. Mr. President, Senate joint resolution No. 43 provides for the repeal of a resolution adopted by the Congress of the United States on March 14, 1912.

I desire to call the attention of the Senate, first, to the fact that the resolution of March 14, 1912, was evidently adopted under a misunderstanding of the effect of the resolution itself or of the law then in force, which it was sought to amend; second, that the object of the adoption of the resolution at that time, as expressed upon the floor of the Senate, has not only not been attained, but that the results have been diametrically opposed to those which the persons who offered the resolution stated they desired to bring about.

The preamble of Senate joint resolution No. 43 largely expresses its purpose, and I shall not take up the time of the Senate to read either the resolution or the preamble.

The joint resolution of March 14, 1912, as it has operated, has changed the law of the United States as it existed from the inception of this Government down to that date. Not only has it changed the statute law of the United States, but it has changed the policy of the United States, and has changed the rules of international law, as understood and followed by the United States and by every other country on the globe, without an exception, so far as I know. There certainly has been no action taken by The Hague tribunal, nor by the declaration of Paris, nor by any other body of which I have any knowledge, which has initiated in any country on this globe any such policy as we initiated by the passage of the resolution of March 14, 1912.

I am not going to read the debate upon this question in the Senate, which was very short. When the resolution was offered, on March 14, it was taken up for discussion immediately and was passed on the same day. It was stated in the debate at that time that the resolution of March 14, 1912, was an amendment to the neutrality laws of the United States then in force; that it was intended so to be; and that instead of increasing or enlarging the powers of the President under the act to which it was intended to be amendatory it really restricted the powers of the Executive to some extent. The statement was made that by a change of the resolution passed on April 22, 1898, a portion of our antiquated neutrality laws would be amended so as to bring those laws up to date.

The statement was also made at that time that the necessity for the passage of the resolution was that American citizens across the border in Mexico were fleeing for their lives, and that the continued exportation of arms and ammunition into Mexico would jeopardize the lives, the liberty, and the property of American citizens across the border.

I wish to touch upon these two propositions. The resolution itself, the law as it stands, provides:

That the joint resolution to prohibit the export of coal or other material used in war from any seaport of the United States, approved April 22, 1898, be, and hereby is, amended to read as follows:

Remember, Mr. President, that in the statement of the case this resolution of April 22, 1898, was directly referred to as a part of the neutrality laws of the United States, and that it was sought by the resolution of March 14, 1912, to amend those neutrality laws.

That whenever the President shall find that in any American country conditions of domestic violence exist which are promoted by the use of arms or munitions of war procured from the United States, and shall make proclamation thereof, it shall be unlawful to export, except under such limitations and exceptions as the President shall prescribe, any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.

Section 2 has been recently passed upon directly, and its meaning explained, in a case before the Supreme Court of the United States, decided within the last three weeks. That section is as follows:

That any shipment of material hereby declared unlawful after such a proclamation shall be punishable by fine not exceeding \$10,000 or imprisonment not exceeding two years, or both.

Instead of being part of the neutrality laws, the resolution of April 22, 1898, was a war measure. It was no part of the neutrality policy of this Government at all. It was adopted by the two Houses of Congress two days after the resolution was passed recognizing the independence of Cuba and authorizing and directing the President of the United States to use the land and naval forces of the United States to carry out the purposes of that resolution. It was for the purpose of preventing the exportation of coal from the seaports of this country to places where it might fall into the hands of the Spaniards, against whom war was declared directly on the same day. It was only about 10 days after the McKinley message calling the attention of the Congress of the United States to the fact that it was the duty of this Government to intervene in the war between Spain and Cuba, or at least in so far as the troubles then existing in Cuba were concerned. It was purely a war measure for the protection of our own Government, never dreamed of as a neutrality measure. Yet, possibly through some misunderstanding, this resolution was treated as a neutrality law, and amended so that an American person selling goods in St. Louis, Mo., to his regular customer in Matamoros, Mexico, Juarez, Naco, Nogales, Veracruz, the City of Mexico, or anywhere else, under the decision of the Supreme Court of the United States, rendered in the Chaves case within the last three weeks, is guilty of a crime for which he may be punished by two years' imprisonment in the penitentiary and the infliction of a \$10,000 fine.

Mr. BACON. Mr. President, I presume the Senator will not object to interruptions?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Georgia?

Mr. FALL. Certainly. I do not object to interruptions.

Mr. BACON. If the Senator will investigate the history of the resolution to which he has referred, I think he will find that while it is true that the resolution was passed through the two Houses of Congress on the date stated by him, it was introduced some time prior to that.

Mr. FALL. Which resolution—that of April 22?

Mr. BACON. Yes.

Mr. FALL. No; that is not the case.

Mr. BACON. When was it introduced?

Mr. FALL. It was introduced in the Senate of the United States on Saturday. On Monday, I think, or Tuesday the 22d day of April, Mr. Quay reintroduced the same resolution, and it passed the Senate on that day, and passed the House on that day.

Mr. BACON. When was it first introduced in the House?

Mr. FALL. The resolution which passed was the Senate resolution. It was introduced, and then for some reason was withdrawn because of the objection of Senator Gorman, of Maryland, was reintroduced by Senator Quay, of Pennsylvania, and passed on the 22d of April, as a war measure.

Mr. BACON. I do not speak from any definite recollection.

Mr. FALL. I have before me an extract from the RECORD.

Mr. BACON. My impression is that the Senator will find that the resolution was introduced in the House some time prior to that, and that its original purpose was to enforce our neutrality laws. I am not definite in my recollection, but it is my general recollection that it originated in the House.

Mr. FALL. Mr. President, I am absolutely definite in my recollection and in my statement.

Mr. BACON. I do not understand the Senator to be definite in reply to my inquiry as to when the resolution was originally introduced in the House.

Mr. FALL. I have stated as definitely as I could. I do not know whether the resolution had been introduced in the House on Saturday or not. I know that this resolution was introduced on the 22d, and passed, and the purpose of it was expressed in the debate in the Houses of Congress. I have before me extracts from that debate, on pages 4170 and 4171, where Mr. Gaines stated "That the object of the resolution was to stop sending coal supplies to nations that are friendly with Spain," while Mr. Hull said, "That it puts it in the power of the executive department of the Government to stop the shipment of coal or war munitions to any place where they may likely reach the Spanish Government."

Mr. McEwan asked, "If it would not be better to prevent the exportation of these materials from any point in the United States? This simply prevents exportation from any seaport. There is remaining the Mexican frontier and the entire Canadian border."

Mr. Dockery asked, "If the resolution would apply to provisions," and Mr. Hull replied, "It would apply to anything used in war." Mr. Dockery stated that his reason for asking was "That a number of shipments have been recently made to the Spanish army by certain merchants in New York, and I was in hopes that it would be far-reaching enough to stop the trade in army supplies." Mr. Hull answered, "That will be in the discretion of the President."

Mr. President, the question as to whether this was or was not a war measure is absolutely settled by the debate in both bodies. It is immaterial whether it was introduced after the receipt of the McKinley message and after the introduction of the resolution providing for the freedom of Cuba and authorizing and directing the President of the United States to use the land and naval forces to bring that about. The resolution for the freedom of Cuba was then under consideration in both branches of Congress and was pending. It makes no difference whether the debate was on the 20th, the 21st, or the 22d. As I have stated, this was a protective measure for the Government and not a neutrality policy to be inscribed on the laws in opposition to the policy which had been ours since 1793. Yet it was stated here, and the resolution was passed by the Senate undoubtedly on the assumption, that the resolution of March 14 was an amendment to the resolution of April 22, as a neutrality measure.

I wish to call the attention of Senators on the other side to some of the expressions of opinion as to the policy of the Government, which were so lightly set aside, I think, by mistaken action. I call this matter to the attention of Senators on the other side and Senators on this side, because the neutrality laws of this Government of ours have never constituted a partisan question.

In 1793 Thomas Jefferson wrote upon this subject to the British minister, who had made complaint that merchants and others in this country were supplying arms and munitions of war to the enemies of Great Britain. Mr. Jefferson said, on May 15, 1793:

Our citizens have been always free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means perhaps of their subsistence, because a war exists in foreign and distant countries in which we have no concern, would scarcely be expected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace, does not require from them such an internal disarrangement in their occupations. It is satisfied with the external penalty pronounced in the President's proclamation, that of confiscation of such portion of these arms as shall fall into the hands of any of the belligerent powers on their way to the ports of their enemies. To this penalty our citizens are warned that they will be abandoned and that, even private contraventions may work no inequality between the parties at war, the benefit of them will be left equally free and open to all.

Right here I want to call the attention of the Senate to the fact that that policy, as announced by Jefferson, has been followed by every prominent man, by every statesman, by every official who ever spoke upon this subject, so far as I have been able to read; certainly in every declaration of every such statesman or official when such declaration was necessary upon an inquiry from any foreign power or when the question was raised on either side of the legislative branch of this Government. Never until last year, on March 14, was a contrary policy advocated for even one moment by anyone of whom I have read, or anyone of whom I have heard. The law of nations, of every other Nation but this, is now that the citizens of a nation can sell to the citizens of any other nation, whether they are at war or not. If the thing sold is contraband of war, then, of course, such contraband is subject to seizure by either of the belligerents.

But what is the condition here? Our citizens are arrested within the confines of their own country by the armed forces of the United States and sent to the penitentiary without warrant of law. The houses and the stores of our own citizens on American soil are being broken into, without warrant of seizure, by the armed forces of the United States, as happened recently in El Paso County, Tex. In that case arms and ammunition, still in the original cases, for their own protection against a threatened attack of Mexican raiders from the other side, against which we are not protected, were broken open, and such arms and ammunition were seized and taken away from the owners by the military forces of the United States. Within the last 10 days this seizure has been set aside, by order of the Secretary of War. Within the last three weeks the Supreme Court has declared that if that merchant, or any other merchant anywhere in the United States, consigns to Mexico in the ordinary course of trade a bill of goods containing arms or munitions of war, he is liable to two years' imprisonment and \$10,000 fine.

Instead of leaving it to Mexico to protect herself the taxpayers of the United States have been required within the last two years to expend millions of dollars to maintain the land forces of the United States upon the Mexican border and the naval forces of the United States along the coast of Mexico, to protect some faction of Mexicans fighting some other faction of Mexicans.

Mr. SMITH of Arizona. Will the Senator permit me?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Arizona?

Mr. FALL. With pleasure.

Mr. SMITH of Arizona. It is interesting in the line of what the Senator is discussing to advert to a dispatch in the morning paper to the effect that a man has been called from Oregon or Washington down to the town of Phoenix, because he carried an aeroplane across the border into Mexico. Because of that act he was brought that distance at the expense of the United States.

Mr. FALL. I thank the Senator from Arizona for calling my attention to that instance. I will say further that I am not going to instance one case after another, but the policy is that the American cattleman on his cattle ranch along the border today does not dare to live on the other side or undertake to do business on the other side with any dependence except upon himself for protection, because he knows that the United States Government has disavowed him. The consequence is that this man with his six-shooter swung around him, carrying it on the other side for the protection not only of his property but of his children and his wife, by crossing the line and depositing his six-shooter on this side and undertaking to return on business to his family, taking his six-shooter from the place where he has deposited it, is arrested by United States troops without warrant of law and turned over to the United States Government and sent to the penitentiary for two years and fined \$10,000.

That is the way this remarkable neutrality law fastened on the people of the United States is operating. I shall refer as I proceed to the operation of it within Mexico itself.

Mr. President, following Mr. Jefferson, on August 4, 1793, three or four months after Jefferson's doctrine was enunciated and sent out to the people of the world, Hamilton, in his Treasury circular, wrote:

The purchasing within and exporting from the United States by way of merchandise articles commonly called contraband, being generally warlike instruments and military stores, is free to all the parties at war and is not to be interfered with.

The same doctrine was repeated by Mr. Pickens, Secretary of State, during the course of his correspondence with Mr. Adet, minister of France, on January 20 and May 25, 1796.

It has been laid down by the Supreme Court of the United States in the *Santissima Trinidad* case (7 Wheat., 283) and in all the other cases which came before it prior to the Chavez case.

Mr. Clay to Mr. Obregon, April 6, 1827, reiterated the same doctrine, and it has been held to be the law and the policy of the United States, as well as its international law, from that day down to March 14, 1912.

President Pierce, in his message on December 3, 1854 (see p. 957); Mr. Seward, Secretary of State, in a communication to Mr. Romero on December 15, 1862; Attorney General Speed, in an opinion in 1865; John Quincy Adams, in his *Memoirs*; Mr. Fish, Secretary of State, to Mr. Lopez Roberts, Spanish minister, in 1869, and again in a note to Mr. Cushing, our minister to Spain, in 1876; Mr. Bayard, Secretary of State, to Mr. Garland, Attorney General, in 1885, as well as to Mr. Becerra, in the same year; Mr. Root, then United States attorney at New York, to Mr. Garland, Attorney General, a case in which Attorney General Garland calls the attention of the then district attorney of New York, Mr. Root, to the fact that it was reported a ship was sailing from one of the harbors in the city of New York loaded with arms or munitions consigned to some person or firm in Colombia. Mr. Root promptly replied to him that, in accordance with his desire, he would issue a warrant for the arrest and detention of the ship, but that under the law and policy of the United States in the event it was disclosed that the arms and munitions of war were bought in the ordinary course of business from citizens dealing in such arms, then there was no authority of law under which the ship could be held.

It was so decided by the court; it was so decided by those charged with carrying out the policy of the Government at that time; it was so decided by Mr. Bayard.

Mr. Blaine to Mr. Lazcano, in 1891; Mr. Foster to Mr. Peraza, in 1892; Mr. Harmon, Attorney General, in 1895; Mr. Olney to Mr. Dupuy de Lome, on July 15, 1896, and every other official or statesman in this country without any exception until the act of March 14, 1912, which I now ask the Senate to repeal, was foisted upon this people under the statement, at least undoubtedly believed by the Senators who made it, that the exportation of arms and munitions of war to the Orozco forces in northern Mexico might tend in some way to injure Americans.

Mr. President, I called the attention of the Senate at an early day after my entrance into this Chamber to the operation of this law and the effect it was having upon the interests of Americans in Mexico and to the fact that up to the time of the enforcement of this law there had been little or no loss of American life or American property in Mexico. Only in a few isolated cases had there been any attempt to interfere with Americans in the full enjoyment of their property rights and of their liberty. Not an American up to that time had been seized by either of the contending factions in Mexico or held for ransom. Since that time I could fill the CONGRESSIONAL RECORD to overflowing with the names and dates when Americans have been seized and held for ransom by the partisans of one or the other contending factions, and in arresting them invariably the statements were made that it was in retaliation for the action of the United States in the enforcement of the act of March 14, 1912.

The whole policy of this Government, Mr. President, as was stated before in this Chamber by myself with reference to the policy of the last administration, has been absolutely wrong, clearly wrong; wrong to the people of Mexico and outrageous to the citizens of the United States who have been there and who are there.

It is said, Mr. President, that if you go across the border of the United States you take your life in your hands. We attempt to extend the trade of this great country. We tell the Japanese, the Chinese, and all the nations of the world that we would like to have their trade. "We will let you have any article of commerce at almost any price you choose to pay for it." But when our merchants send out their representatives,

their business men, to reside in South America, Central America, Japan, China, or anywhere else, they go there with the understanding that "dollar diplomacy" is a thing of the past and that "grape-juice" diplomacy has taken its place. What the difference may be, I can not say; I do not know. I do know, however, that when you do state definitely to the other nations of the world the fact that American citizens residing in their boundaries can be attacked with impunity, that they can be despoiled of their property with impunity, then you strike the deadliest blow which was ever given to the trade of the United States—this great commercial Nation.

Mr. President, I am not going to take up the time of the Senate to go into matters in detail. I promised to close as rapidly as I possibly could; but I want to call the attention of Senators to the records in this case.

A committee was appointed by this body to investigate matters along the Mexican border and in Mexico in connection with an investigation as to whether American citizens had anything to do with inciting or fomenting the revolution against the Government of Diaz in Mexico. In the course of that investigation statements were obtained which are published as a Senate or a Senate committee document. Nine hundred and eighteen pages of statements were taken and are published in this record, statements of American citizens in Mexico, and every American citizen who testified upon the subject testified to the effect that prior to the passage of the resolution of March 14, 1912, their property had been practically exempt from seizure; that their lives had been safe throughout Mexico; that none at least of the armed forces upon either side—and there are a dozen different sides in Mexico—had interfered with Americans because they were Americans; that if there had been any interference it was only incident to some sporadic case of looting or robbery; that subsequent to the passage of the joint resolution American property has been endangered in every State of the Republic of Mexico, particularly in the States along the American border; that as was stated to the witnesses by the Mexican leaders, the officers of both the federal army and the revolutionists, it was due entirely to the fact that they intended to retaliate upon Americans in Mexico and hold them responsible for the action of this Government in unwarrantedly intervening as they were doing in the protection of one faction against the other; that they proposed to make the Americans there pay for the cartridges which they had to pay three times the regular price for because they could not get them across the border except at an enormous cost by smuggling.

Salazar wrote a letter which is embraced in this statement. He is the federal now at Juarez, who is leading the defense of that city against the attack of troops of Villa. Salazar has a letter here which was handed to the then President of the United States, Mr. Taft, in which he says that Americans must not come back across the border to attend to cattle branding and other business. Why this action of Salazar? Because three days before he had attacked the federal post at Palomas, which is a port of entry in Mexico, and had killed or taken prisoners all the garrison who were within a mile of our line. The federal garrison had been getting supplies, arms, and munitions from this country; it had been getting flour, meat, and all the supplies which they needed and were able to pay for. When Salazar took charge of the port and sent his wagons and teams across into the United States to buy arms and munitions and to pay with his gold for flour to feed his starving men his flour was seized by the armed forces of the United States and confiscated and the men were put in the military prison and his teams were confiscated and sold. Do you wonder, then, that when they get an unprotected American on the other side they make him pay in some measure for the damage which this Government is directly inflicting upon them?

I am speaking now of the Mexicans, but, Mr. President, I can certainly appeal to the Senate in behalf of the trade of the United States with Mexico. It is not an illegitimate trade. It is one which we have always been engaged in, one which is recognized as legitimate by every other nation in the world, and by this has been recognized as absolutely legitimate until the passage of the joint resolution.

I am simply going to put into the RECORD citations to the evidence of certain witnesses who appeared before this committee to corroborate my statement and I will not read the evidence itself. There is the testimony of E. C. Houghton, page 9. Mr. Houghton is the representative of E. D. Morgan & Co., the Bliss estates, and others in New York, and manages large, rich ranch property in Mexico. He was driven away from it, and can not go back there. He can not brand his cattle, although he was informed by a man close to the former administration that he had better make a private deal with the bandit, Salazar. He did so, and he paid Salazar \$7,500 to

allow him to brand his calves. After the money was paid, Salazar drove the calves off, sold them, and put the money in his own pocket. On page 65—

Mr. BACON. I should like to inquire of the Senator, with his permission—

Mr. FALL. Certainly.

Mr. BACON. If he has a copy of the proclamation issued by the President under the joint resolution?

Mr. FALL. It is simply warning the people of the United States. I have it, but not here before me.

Mr. BACON. What I wished to ask the Senator is whether any exception was made in that proclamation.

Mr. FALL. I will have it in a moment. The Senator from Ohio is courteous enough to look for it. The proclamation, however, simply recites this act. There had been a neutrality proclamation, as in all cases of this kind. It has always been the custom of any administration to issue a proclamation to its citizens that they must observe neutrality when there was war between two foreign countries. That, of course, was issued.

Following that was the proclamation of the President of March 14, to which I have referred and which I am now discussing. Under that, millions of dollars of American property have been destroyed and 80 American lives have been lost, almost entirely attributable to this law and to this proclamation.

Mr. BACON. Mr. President—

Mr. FALL. Sixty-two million dollars, Mr. President, admitted damage had been done to American property five months ago, when I saw the last consular or embassy report—that was about the estimate.

Mr. BACON. The Senator did not catch the purport of my prior inquiry.

Mr. FALL. I understood the Senator to inquire as to this proclamation.

Mr. BACON. No; the Senator was urging that the joint resolution, which is a law, was operating unjustly to some people.

Mr. FALL. Yes, sir.

Mr. BACON. And that some were made to suffer under it while others had relief.

Mr. FALL. Oh, Mr. President—

Mr. BACON. If the Senator will pardon me a moment.

Mr. FALL. All right.

Mr. BACON. For that reason I asked the Senator whether the proclamation made any exceptions in favor of either party or whether if such exceptions were in practice found they were without regard to the proclamation. I have sent for the proclamation with a view to seeing whether any exceptions were made.

Mr. BURTON. It makes no exception, I will state to the Senator.

Mr. BACON. No exception?

Mr. BURTON. It seems to make no exception.

Mr. BACON. Very well. If there are no exceptions it is not the fault of the law if any injustice has been done to anyone.

Mr. FALL. I wish to call the attention of the Senator to the fact that he asked me some questions along this line when I spoke here in August, and I stated to him at that time and told the Senate that there were exceptions; that the Madero government was being absolutely protected and allowed to get arms and ammunition wherever it pleased; that the insurrectionists against the Madero government could not get them; and that American citizens were being shut up for selling them through a port which to-day belongs to the Madero adherents and to-morrow belongs to Orzoco, or to-day to Huerta and to-morrow to Villa; selling them in the ordinary course of business, shipping to merchants in Mexico; to-day you would be damned for selling and to-morrow praised.

Mr. NORRIS. Mr. President—

Mr. FALL. I will call the attention of the Senator on this point to a specific instance. Here is an official communication from the Chief of the Coast Artillery and Acting Chief of Staff under date of June 18, 1913:

In answer to your letter of the 17th to Gen. Wood, who is out of town, I have the honor to inform you that the arms, equipments, etc., which were turned in by the Mexican Federal troops at Nogales and Naco, were shipped to the American consul at El Paso.

We do not recognize the Huerta government, and still this Government not only allows its citizens to sell to the adherents of Huerta in violation of good faith, as I understand it, but this Government itself directly violates neutrality, as I understand the term, by delivering arms to the Huerta government. The day before yesterday—I may say to the Senator I will get the facts if he wants them—128 rapid-fire guns and two or three carloads of ammunition for shipment, through sales by American merchants, for Matamoros, Mexico, were seized by the armed force of the United States on this side and confiscated.

Why? Because Matamoros is in the hands of Carranzistas in opposition to the Huerta government. Those are the exceptions. The Senator stated two or three of them here.

Mr. BACON. If the Senator will pardon me, the only exception recognized by the law is the exception made by the President of the United States.

Mr. FALL. The Senator knows that the proclamation forbids the shipment of arms intended to incite or foment domestic disturbance contrary or against the constituted government of Mexico. That is what the proclamation says, and that is what the law says, that whenever the President in his discretion may find shipments of arms and munitions from this country which may tend to incite revolution against the recognized government of an American State, he has it in his power to prevent it. Naturally, he has construed it not to direct him to exclude the shipments to a recognized government.

Mr. LODGE. Then, I understand the Senator to state that the examples prove the statement that we permitted arms to be shipped to the Madero government?

Mr. FALL. You did.

Mr. LODGE. But not to those in insurrection against it; and now we are permitting arms to be shipped to one government but not to the other in Mexico.

Mr. FALL. That is it exactly.

Mr. LODGE. That, I understand, is the Senator's position.

Mr. FALL. That is it exactly. I have an instance occurring under the former administration. I have in the office files an official document showing that a ship with arms going to Vera Cruz was seized by United States authorities under this very proclamation, but by order of Mr. Taft, over his own signature, was released because it was going to the Madero government ports for the use of Madero.

While this administration has not recognized the Huerta government, under the direction of somebody arms and ammunition surrendered to our troops on this side are being returned to the Huerta government, while arms and munitions bought in the ordinary course of trade, destined to a port which happens to be in charge of the Carranzista government—which is the government of the State of Coahuila and all the States in secession—shipped to Matamoros by our citizens on this side are seized; and if they choose to bring an indictment against the merchants who sold the arms in the ordinary course of trade, under the decision in the Chavez case they are subject to imprisonment in the penitentiary and a \$10,000 fine.

I say to you, Mr. President, that the whole course of this Government—and I speak of this administration as well as of the last administration—has been ruinous to American interests and has been shameful, and that this act now upon the statute books is a stain upon such statutes and upon the laws of this country.

Mr. NORRIS. Will the Senator yield to me there?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Nebraska?

Mr. FALL. Certainly.

Mr. NORRIS. I should like to inquire of the Senator what the effect would be if we pass his resolution repealing the present law? Would our merchants then have a right to sell to any one of the factions?

Mr. FALL. To anyone who would come and give his good gold; and then it would be his lookout as to whether he got them across the line. If our merchants sold them to be delivered at Juarez, and Salazar should seize them before they were delivered, our merchants would lose them, if they were to be paid for on delivery; on the other hand, if they were destined for the Huerta faction, and Mr. Carranza should seize them, our merchants would lose them. Under the neutrality law they are contraband of war and subject to be seized by either of the belligerents; but the doctrine which I am insisting upon, Mr. President, is the American doctrine, and the doctrine of the civilized world, that our merchants should be free to sell wherever they please, to whomsoever they please, taking simply the responsibility of dealing in contraband of war, which is subject to seizure by either belligerent.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Mississippi?

Mr. FALL. With pleasure.

Mr. WILLIAMS. I want to suggest to the Senator from New Mexico—I do not know whether he has dwelt upon it or not—that the doctrine he is trying to reinstitute was the doctrine of this Government under George Washington's administration and has been ever since. We declared at that time that our merchants sold at their own risk, but they had a right to sell.

Mr. FALL. I am glad the Senator has made his statement. I will state to the Senator, for his information, that I have just

read an extract from the official communication of Thomas Jefferson, dated May 15, 1793, to the British minister, and then Mr. Hamilton's circular, and the communications to the French minister and to all other nations and all other people. The Hague tribunal has never sought to go any further than simply to provide for the seizure of contraband of war. It has never sought to provide that any nation should not sell freely to any other nation, whether at war or not, except under that penalty.

Mr. LODGE. They sell at their own risk.

Mr. FALL. They sell at their own risk, of course, just as Jefferson said, touching contraband of war; our merchants sell at their own risk; aside from that, they shall not be curtailed in their right to sell.

I had commenced to read when I digressed, Mr. President, from the testimony in this case in the document of the committee to which I have referred, appointed under Senate resolution No. 335. I want to call attention—and I want to get this in the RECORD, so that Senators, if they so desire, can see it for themselves—to the sworn testimony of reputable American citizens as to what has been the effect of the maintenance of this resolution upon our statute books.

E. C. Houghton, page 9; Julius Romney, page 65; David Gough, page 33; Charles M. Newman, pages 39 and 43; George A. Laird, page 14; H. S. Stephenson, page 372 and also 811; William N. Fink, page 692; Mayor Kelly, of El Paso, Tex., page 452; Charles K. Warren, Three Oaks, Mich., page 800; Price McKinney, of Cleveland, Ohio, of the firm of Corrigan, McKinney & Co., page 805; L. P. Atwood, page 496; and V. H. York, page 720.

Those are a few of the witnesses who testified upon this direct subject. Every other particle of testimony touching the subject at all corroborates the evidence of these witnesses to the effect that until the proclamation of March 14, putting in effect this law which was mistakenly supposed to be an amendment to the neutrality law—until that proclamation went into effect, Americans, as well as citizens of any other country, were protected in their property, while since then, as shown by Mr. Fink, superintendent of the San Toy Mining Co.—an American company with 5,000 stockholders in this country—who in his little mining camp within 12 miles of Chihuahua, where the Federals claimed to have a garrison of 7,000 men, was seized and held for ransom. The Federal troops were notified at once, but refused to go to his assistance. The American consul was notified at once and wired the State Department of the United States Government. The department replied that they had wired the City of Mexico to afford Mr. Fink all protection. Five thousand troops, or, as they claimed, 7,000 troops, were within 16 miles, and yet no attempt was made to go to his assistance. He knew the men who had seized him. He spoke Spanish well. They demanded \$5,000 ransom. He called upon them as friends, stating that he was a poor man, had only his salary, and doubted whether his company would put up a dollar ransom for him, stating that he had always been their friend. They said "yes," personally, and you are so now, but your Government is ruining us; the policy of your Government in intervening is causing our women and children to starve and our men to shed their blood. It is your fault. We must have cartridges with which to defend ourselves. We must buy them from some source; we must have the money with which to buy them. Your Government is depriving us of the right to buy them across the border. We pay three times the price for every cartridge because we are compelled to smuggle them. We are now buying from the Federal troops in the city of Chihuahua cartridges at 10 cents apiece. If you will furnish us with 50,000 rounds of cartridges, we will turn you loose; if you do not, we must have from you \$5,000 with which to pay the Federal soldiers for the cartridges which they are selling us." That is from the sworn testimony of a reputable American citizen.

Mr. President, I do not want to weary the Senate, and I shall close by saying one or two words upon another subject connected directly with this.

Mr. NORRIS. Mr. President, before the Senator leaves that point, I should like to ask him whether it would not be possible, without changing any law, for the President to recall the proclamation that was issued by virtue of the particular resolution which the Senator wants to repeal?

Mr. FALL. Undoubtedly.

Mr. NORRIS. Would not that give complete relief?

Mr. FALL. Absolutely; because the law is not self-acting. It can only be put in effect by the President. Of course, that would afford immediate relief. My whole insistence is that it was never the intention of the Congress of the United States deliberately to change the policy of this Government inaugurated by Jefferson and Washington. I do not believe that when Congress understands fully the effect of it and how this law is be-

ing enforced, it will allow it to remain upon the statute books; but it has been within the power of the administration at any time simply to revoke that order.

I want to say to the Senator who has asked the question, that I have had this matter up with the last administration, and I have called the attention of the present administration to the fact that such acts as these of which I have been speaking, and also allowing so-called Federal troops to go through American territory when they did not dare follow the insurrectionists through the mountain passes, allowing the Federals to take trains in safety at El Paso and head off the revolutionists going from Chihuahua to Sonora or from Sonora to Chihuahua—such acts as these have emphasized upon the minds of the Mexicans of the north that the Americans who have always been friends of those people of the north have for some reason now turned to their enemies.

Mr. President, I myself personally have done business in Mexico for 31 years. I have had as many as 5,000 of these people working for me at one time in Chihuahua and Sonora. I have lived with them in their camps; I have had my daughter and my family in Mexico in little outlying Mexican camps, where there were not two Americans, and I have left them there in absolute safety, feeling that they would be protected and that they were in no danger whatever. I am sorry to say that I can do that no longer, and I speak knowingly when I say that the change of conditions, the change in the minds of the Mexicans of the north in their opinion of and treatment of Americans is due absolutely to the suicidal and farcical policy of these two administrations.

Mr. BACON. In what particular?

Mr. FALL. If the Senator does not understand in what particular, I am afraid it is impossible for me to impress it upon him. I have been devoting myself for some little time to that attempt, and I am sorry that I am not so fortunate in the choice of language as to inform the Senator.

Mr. BACON. I accept the Senator's criticism and acknowledge my obtuseness. I simply desire to know from the Senator, if I do not render him impatient by making the inquiry—

Mr. FALL. Not at all.

Mr. BACON. Whether he limits it to the criticism he has already made or whether he has anything else in his mind?

Mr. FALL. The entire policy. If you want to know what my opinion is, if that is what you are attempting to get at, as to the attitude of the present administration toward the so-called Huerta government, I can say that one thing that any Democrat and any American, in my judgment, has a right to be proud of is the fact that this administration has refused to recognize a treacherous assassin, a man who, trusted with the safety of his President and armed by that President for the protection of his so-called government—of which I had very little opinion, as Senators know—this man, intrusted with the personal safety of his President and with the protection of what government they had, should have assassinated him and taken his place.

I shall not criticize other nations of the world; they have their own code of diplomacy, but I have criticized the diplomatic actions and policy of this Government which I desire to criticize, and I am perfectly willing to yield my admiration to the present administration for its refusal to recognize the so-called Huerta government.

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Washington?

Mr. FALL. With pleasure.

Mr. POINDEXTER. If the condition of affairs is as described by the Senator from New Mexico, so far as the enforcement of the joint resolution which he is now seeking to repeal is concerned, I understand that this Government, through its agencies along the border, is practically acting as an ally of the Huerta government, and notwithstanding its refusal to recognize the Huerta government as a government it is rendering it, perhaps, a far more valuable service in allowing it to buy and receive munitions of war from this country, while it is refusing the opponents of that government that privilege.

Mr. FALL. That is the position in which the Government is placed. I can show further, Mr. President, along that line that the Senator from Arizona and myself made certain protests to the State Department of this Government a short time ago, which were listened to to some extent, against the action of the Government in regard to the troops, to the number of some seven hundred fighting men, who were forced to cross the border at Naco and at Nogales, whipped by the Carranza forces, driven out of Mexico, and pursued to the border, Gen. Ojeda himself having been dragged across the border by an American officer, to get him away from his pursuers. They surrendered their

arms to our American soldiers, were kept there and fed at the expense of the United States Government, and then started across the territory of the United States, under guard of American soldiers, to be delivered back to Huerta. The arms and munitions had already been sent to the Mexican consul at El Paso. Two hundred and ninety-four of these troops arrived at El Paso and were met by three Texas Rangers, ordered out by Gov. Colquitt, with instructions not to allow one of these Huerta troops to land there from the military train. We, as I say, protested. It appears to be rather uncertain as to what became of some of the troops. Gen. Ojeda, the hero, who had announced through the American press to the American soldiers and to his countrymen that he proposed to die in his tracks before he would surrender or was conquered, running from his pursuers, was dragged across the American line by a friendly American officer and allowed to proceed to Guaymas, and has been in charge of the defense of that city against the men who ran him out of the country at Naco.

Mr. President, the 294 troops who arrived at El Paso are still there on the military reserve at Fort Bliss, because the Texas authorities will not allow them to go off. They would not allow the Huerta soldiers to be taken from the train in the Union Station, but compelled them to go out to Fort Bliss, where they are yet, being fed at the expense of this Government.

Need I refer to other acts of invidious distinction, Mr. President, calculated to make the opposing class in Mexico rather antagonistic to the United States? It seems to me, sir, that if a case could be established that this case has been.

Mr. President, I am not going to take up any more time of the Senate than to say this: I have referred to the investigation which was made by a committee of the subcommittee of the Foreign Relations Committee of the United States Senate with reference to Mexican affairs. I was placed upon that committee by the Senate itself by a joint resolution passed, I believe, two days after the committee was appointed.

Mr. President, the direct subject of investigation at that time was the question as to whether or not American corporations or American interests on this side had furnished money with which to incite or foment the revolution of Madero against the Diaz Government. I want to say that after a most thorough examination of all the evidence we could obtain, and some which it was impossible for me to place in the hands of the committee, coming from private sources which I would not dare to name and can not name to-day, I not only became convinced that no American company, corporation, or individual in this country had furnished the money with which that revolution was brought about, but I became convinced, and have evidence absolutely conclusive to myself, as to where the money did come from.

I have been anxious that the committee might get together and consider some of these matters, and, if possible, arrive at some conclusion. In view of the fact that the committee has not met for that purpose, I simply desire now to make this statement as strongly as I can make it. Our American business interests are being attacked from different directions at this time. If I, by my testimony, can show that one attack upon them at least has not been well founded, I feel it my duty, not only as a member of the committee but as a Senator, to refute such charges.

Mr. BACON. Mr. President, this is a matter of very grave importance, and I presume the joint resolution will go to the Committee on Foreign Relations. At least, I shall ask that it shall do so. Before making that motion, however, I wish to say a word with regard to the matter which has been brought to the attention of the Senate by the Senator from New Mexico, in order that the record may be correct.

It is true that the conditions now are entirely different from those which existed at the time the resolution of March, 1912, was adopted. At the time of the adoption of the resolution in March, 1912, there was a duly recognized Government in Mexico, of which Madero was the head. The revolution which was in progress presented the distinct aspect of a revolution by a portion of the people who were attempting to overturn an established and a recognized government. There is no doubt about what was the purpose of the Congress in the adoption of this resolution. The purpose was to discourage revolution in Mexico. The Senator from New Mexico is entirely mistaken if he thinks this resolution was adopted inadvertently, or without a distinct and direct purpose to be accomplished by it.

The Senator would indicate, from his criticisms upon what was done at that time, that the purpose was only to protect American citizens who were across the border by refusing the export of arms which might be used against them, and he now says that that purpose has been so signally defeated that the directly opposite result is now flowing from the operation of this law. The fact

is that this resolution was adopted in consequence of communications which came to the United States Government, and I may say to the President of the United States, presented by the authorities of the State of Texas. At that time, I repeat, Madero was the recognized, legitimate head, and his Government the recognized, established, and legitimate Government of Mexico.

It was represented to the President of the United States by the authorities of the State of Texas that the territory of the State of Texas was being used as a base where revolutionary organizations were being made, and from which revolutionary expeditions were being sent, for the purpose of disturbing the peace and overthrowing the authority of the established Government in Mexico, and that that was having the effect not only of putting in jeopardy the lives of Americans who were beyond the Mexican border but of creating disturbances and endangering life and the safety of property in the State of Texas.

Upon that representation, the President of the United States—and I do not think I am violating any propriety in stating these facts—sent for the Committee on Foreign Relations, of which I was then as now a member, but of which then the Senator from Illinois, Mr. Cullom, was the chairman; and most of the Senators who are now members of that committee were then members of it. The matter was one which was recognized not only as affecting the United States in general but as affecting particularly the State of Texas. While the members of the Committee on Foreign Relations were invited to go to the White House for the purpose of conferring with the President on the subject, the two Senators from Texas were also invited to be present, and were present. This emphasizes the fact which I have stated, that the complaint came from the authorities of the State of Texas, that the territory of Texas was being used for illegal purposes with a view of destroying a recognized and an established government.

There is no doubt, as I say, about the purpose of the resolution. It was to prevent the shipment of arms and munitions of war from Texas into Mexico, the design of which was to revolutionize that Government and to disturb the peace and overthrow the laws of that country.

As I say, the condition has changed. There is now no recognized government in Mexico so far as this Government is concerned. I am very frank to say, as I have said elsewhere, that I think the determination reached by our Government in that particular is a proper one, for the reason that in my view the Huerta government is as distinctively a revolutionary government as is the government which is headed by a Mexican chieftain whose name I do not now recall in the northern part of Mexico. We have now presented the condition of two contending factions in Mexico, neither of which we recognize to be the established government of the country, and each of which is perhaps entitled, the one as much as the other, to whatever privileges recognition may confer in the way of opportunities offered for carrying on the war.

That is a matter to be determined. It is a question whether or not it is to the interest and best policy of this Government to prohibit to any of the parties in that country the opportunity to secure arms and munitions of war for the purpose of carrying on the internecine war, or whether the door should be thrown open and each should have the same opportunity that is afforded to the other.

Mr. FALL. Mr. President, I have listened to the Senator so far with a great deal of pleasure, and I should like now to ask him a question.

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. BACON. Certainly.

Mr. FALL. The Senator has had a great many years of experience, as he says, in diplomatic matters. Would it be contrary to all the rules of diplomacy if he would tell the Senate now just what he thinks about this matter and what ought to be done under the existing conditions?

Mr. BACON. Does the Senator mean as to arms?

Mr. FALL. I mean, first, as to the shipment of arms; second, as to the matter of the treatment by this Government of its citizens who are in Mexico.

Mr. BACON. Mr. President, the Senator asks me a question which it would take me a good long time to answer, if I were to give all the views which I think I might possibly entertain, or do entertain, as indicating what we should do there in each particular. If the Senator means to inquire of me whether I think the Government of the United States ought to intervene in Mexico, I shall be very prompt to answer his question.

Mr. FALL. I did not ask the Senator for his reasons. I asked him if he had any opinion. That would not take long to express.

Mr. BACON. No; the Senator will pardon me, but he can not put me in a position which I do not occupy. I have said nothing about reasons. I said if the Senator desired me to give my opinion as to whether or not the Government of the United States should intervene in Mexico, I would give it to him very promptly. Does the Senator understand that?

Mr. FALL. Yes; the Senator understands it. I did not ask for any such opinion, however. I asked the Senator for answers to two distinct questions. I did not ask him for his opinion upon either of those matters, but simply as to whether he could answer those questions; and, if so, whether it would be contrary to his ideas of what was true diplomacy to give me answers to them.

Mr. BACON. Mr. President, at one moment the Senator says he is asking me for my opinion and not for my reasons; and, then, when I propose to give him my opinion he says he does not ask me for my opinion. Therefore, I must confess, I am a little at a loss to know how I am to answer the Senator's questions.

Mr. FALL. Then I might ask, making the distinction which the Senator understands, as a lawyer, between a decision and an opinion, whether he has arrived at a decision on any phase of the Mexican question except that the United States should not intervene?

Mr. BACON. Yes.

Mr. FALL. I make that distinction between a decision and an opinion because I do not want an opinion.

Mr. BACON. I have not the right to decide the matter, consequently I shall insist on giving my view as an opinion, with all due deference to the very fine and metaphysical distinction drawn by the learned and distinguished Senator from New Mexico.

In my opinion a citizen of the United States in Mexico is entitled to exactly the same protection that a citizen of the United States in any other country is entitled to when he gets into trouble—no more and no less. I do not think it is practicable for the Government of the United States to go into Mexico and extend its physical protection to a citizen of the United States, and redress his wrongs in Mexico without armed intervention. I know of no way in which the Government can physically extend protection to a citizen of the United States in Mexico, or redress wrongs by force and compulsion in Mexico, other than by force and intervention. Possibly the Senator from New Mexico does know some way in which that can be done.

Mr. FALL. No, Mr. President; if the Senator will yield for a moment.

The VICE PRESIDENT. Does the Senator from Georgia further yield to the Senator from New Mexico?

Mr. BACON. Certainly.

Mr. FALL. The American people in Mexico have not asked for intervention, Mr. President. They have asked that the present diplomatic policy of the United States be done away with just for a little while, and that we go back to true Jeffersonian and Hamiltonian principles in our diplomacy.

Mr. BACON. Diplomacy can not enforce anything in Mexico or anywhere else outside of the territory of the United States Government. Diplomacy may secure redress, but not through force. Diplomacy stops when force begins to exert its power. Everybody knows that. Fine words can not make a distinction which does not exist. Therefore, I say that while it is our duty to extend in all possible ways our assistance to citizens of the United States in Mexico who may be in trouble, we can not undertake by force to give protection to a citizen in Mexico except by armed intervention.

Mr. LODGE. Will the Senator yield to me for a moment?

Mr. BACON. Certainly.

The VICE PRESIDENT. The Chair desires to announce that the Chair seems not to be addressed, and has not been today.

Mr. LODGE. The Chair is quite correct.

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. BACON. I do.

Mr. LODGE. The Senator speaks about diplomacy and the inability to enforce it. As a general proposition of course that is quite true. But under treaties and general international law we, in common with all other nations, have certain rights in regard to which it is possible for diplomacy to do a great deal.

Mr. BACON. Oh, yes.

Mr. LODGE. A short time ago a German was killed in Mexico, and his wife and I think a child or some one else with him, under circumstances of the most revolting cruelty. Through the German minister, without any threat of war, but through diplomatic methods, they got within a few days, as soon as the facts were known, an indemnity of 100,000 marks

for that German and his family. If I am correctly informed, some 80 Americans have been killed in Mexico, and I do not know how much property has been destroyed. If we have received any indemnity, either under the last administration or under this administration, I have failed to discover it.

Mr. BACON. All that may be true.

Mr. LODGE. Diplomacy can do a great deal after all.

Mr. FALL. Will the Senator yield to me for a moment?

The VICE PRESIDENT. Does the Senator from Georgia further yield to the Senator from New Mexico?

Mr. BACON. If the Senator will permit me, I should like to reply to the Senator from Massachusetts before I yield to the Senator from New Mexico.

Mr. FALL. I simply want to add another matter to that which has been stated.

Mr. BACON. The statement made by the Senator from Massachusetts in no wise conflicts with the proposition submitted by myself. That is, that it is the duty of this Government to do for any citizen of the United States who may be within the territory of Mexico just exactly what it would do for any one of its citizens in any other country when that citizen got into trouble, and that whatever can be accomplished by diplomacy or any other method short of force should be accomplished. Possibly the Senator was not in his seat when I made that statement, or I would not have been the subject of his criticism.

Mr. LODGE. No; I was not. I simply heard the Senator's last statement. But if the Senator will permit me, and then I will not interrupt him again, my complaint is that all that diplomacy can effect—

Mr. BACON. Should be done.

Mr. LODGE (continuing). Which is very much when it is backed up by its own government, as the consuls and ambassadors ought to be, has not been done in Mexico. Our consuls have not been backed up. On the contrary, I am certain that they have received in times past—I will not say under this administration, but under the last, perhaps—a very definite warning, the old French warning, "Not too much zeal." My contention is that we have not done all we ought to do through diplomatic and consular channels.

Mr. BACON. Does the Senator mean, when he uses the term "backed up," that they should be backed up by other than diplomatic methods?

Mr. LODGE. I do not.

Mr. BACON. Then there is no trouble between the Senator and myself.

Mr. LODGE. Oh, certainly not.

Mr. BACON. I go as far as he does.

Mr. SMITH of Arizona. Suppose diplomacy utterly fails?

Mr. LODGE. That is another question.

Mr. BACON. When diplomacy fails, then it is a question whether or not force shall be used.

Mr. FALL. Mr. President, may I ask the Senator a question?

Mr. BACON. One moment; let me reply to the Senator from Arizona. I will give the Senator from New Mexico all the time and all the opportunity he wants.

The Senator from Arizona asks what shall be done in case diplomacy fails. When diplomacy fails, it is then always a question for every Government whether or not the controversy is one which will justify a war or whether it shall be submitted to arbitration. Those are questions to be determined when the contingency arises. The time certainly has not yet come when we can say with propriety that we will go to war with Mexico or decide that we will submit the matter to arbitration. There is no authority there with whom we can arbitrate; and the time has not come when, by reason of the injuries which have been inflicted upon our citizens, we should resort to war.

Mr. SMITH of Arizona. If the Senator will permit me, how long, then, would civilization permit to go on the crimes which are constantly being perpetrated there, and we the nearest neighbor? I believe that was the excuse given for our intervention in Cuba—that crimes against all the laws of civilization were being committed.

Mr. BACON. The Senator means to inquire how long we shall stop before we intervene by force. Is that the meaning of the Senator?

Mr. SMITH of Arizona. How long it shall continue.

Mr. BACON. Is that what the Senator means when he asks how long it shall continue? Does he mean how long we shall permit it to continue before we make armed intervention in Mexico?

Mr. SMITH of Arizona. Yes, sir.

Mr. BACON. Mr. President, that brings me to a suggestion which I did not intend to make, but which I think the question

of the Senator from Arizona and what has been said by the Senator from New Mexico probably justifies that I should make.

ASSIGNMENT OF DISTRICT JUDGES.

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2254) to amend chapter 1, section 18, of the Judicial Code.

Mr. O'GORMAN. I move that the bill be recommended to the Committee on the Judiciary.

The motion was agreed to.

EXPORTATION OF ARMS TO MEXICO.

The Senate resumed the consideration of the joint resolution (S. J. Res. 43) to repeal the joint resolution of March 14, 1912, authorizing the President to prohibit the exportation of arms, etc.

Mr. BACON. Mr. President, I think the question of the Senator from Arizona should be replied to. I think the Senator has put the matter in a shape which was evidently in the mind of the Senator from New Mexico, but the Senator from New Mexico would not come square up to the scratch. That is the difference between them. The Senator from New Mexico and the Senator from Arizona evidently desire that this country should intervene forcibly in Mexico and endeavor by its Army and Navy to re-establish order. Mr. President, that is a very large proposition.

Mr. SMITH of Arizona. If the Senator will permit me—

Mr. BACON. I was replying to the Senator's inquiry.

Mr. SMITH of Arizona. I wish to say that the Senator puts me in an attitude that I do not entirely entertain. I was asking for information from the large experience of my friend the Senator in such questions as to how long a civilized country can sit idly by and see its citizens murdered and its property destroyed; its sailors from its own battleships on the streets of a city, when unarmed, shot down by officers or alleged officers of that country. I was asking the Senator's judgment.

I will also add that the destruction of their own property has gone to a point where they are now utterly unable to respond in damages for what we have already suffered from them. How far, I ask, under those circumstances shall it go before the last resort must be had?

I was not giving it so much, as the Senator supposed, as my present purpose to advise intervention in Mexico, but rather to get the Senator's idea as to how long we should delay before the last step is taken.

Mr. BACON. Mr. President, the inquiry of the Senator when he recites certain facts as a predicate for his inquiry means only one thing, and that is whether under the circumstances narrated by him the time has come for intervention. So there is no difference, at least, between the question as I presented it and the question as propounded by him now.

I can not go that length, Mr. President. But I just want to say one thing. In the first place, everybody who gives this matter any reflection recognizes that intervention in Mexico does not mean a temporary incursion or a temporary occupation. It means an occupation of that country by a great American Army to stay there for a generation, and then in all probability, and in the judgment of those who have given the matter the most thought, for all time. We should certainly give ourselves pause before we do that.

It is an easily demonstrable proposition that it would be much cheaper for the United States Government to pay not only for every dollar of damage that has been inflicted by these disorders in Mexico upon the property and persons of American citizens, but also to pay for every particle of property owned in the Republic of Mexico by American citizens than it would be to go to the expense which would be involved in a war of that kind, interminable as it would be, and involving consequences which would necessarily revolutionize our own institutions, besides imposing another great pension list the burden of which would be borne by our people for two generations to come.

Mr. President, as to what we will do in Mexico I want to say one word, and I will be glad if the Mexicans themselves can hear it. It is that the responsibility is upon them for the restoration of order in that country and for the erection and maintenance of a civilized and an orderly government, capable of enforcing law and of putting down revolution.

And, Mr. President, what I particularly want to say is that there is but one thing necessary to be done to accomplish that, and that is for the better class of the people of Mexico—those who have the education, those who have the social standing, those who have the property—to be willing to take their lives in their hands for the purpose of maintaining order in their own country.

It is a fact, Mr. President, if my information is correct, that the class of people of whom I have spoken are not willing to take their lives in their hands for the purpose of maintaining order, of enforcing law, and maintaining established government in that country; that men who have property, white men, the intelligent classes, the social classes in Mexico, sit back and are unwilling to take arms in their hands for the purpose of establishing order in Mexico. Whenever they are willing to do that there is no trouble about their establishing order in Mexico. If that were the condition in this country, there would be white men who would take arms in their hands and risk their lives and shed their blood for the purpose of restoring order and maintaining good government; and order can be restored and good government can be maintained in Mexico whenever the white men of Mexico are ready to risk their lives for that purpose.

Mr. President, I have made some inquiry about this matter. I have asked how many white men there are in the city of Mexico. I am told that there are between two and three hundred thousand white population in the City of Mexico. That means at least 40,000 white men between 18 and 45 years of age who can be enrolled in an army, and 40,000 white men, if put into an army, can rule Mexico under present conditions. Forty thousand organized and disciplined white men, intent on restoring good government can easily put down the roving bands of revolutionists in that country.

I have inquired how many white men there are in the Republic of Mexico. I am told that there are three and a half million white men. I am told that of the entire three and a half million it is only here and there that a white man can be found who is willing to risk his life for the purpose of restoring order in the country. They are sitting back in personal security and letting brigands, because they are nothing more, enlist all the revolutionary, anarchistic elements in that country, people who like the license of war and plunder and ravage under the forms of war; and it is nothing in the world but brigandage. They are perfectly willing that their country should be tramped and marked from one end to the other by these irresponsible bandits, and they sit back in security in their clubs and in their city residences and on their estates and are unwilling to take arms in their hands for the purpose of defending their own country against anarchy and rapine and unbridled license.

When the men who own the property, the men of social and business standing, the men having the most at stake, are not willing to spill their blood to protect themselves and their property and social institutions they are calling upon the United States Government for help. They would involve us in an expenditure of untold treasure and have this country shed its blood for the purpose of establishing government and maintaining law and order in that country when they themselves are not willing to take the risk that they demand of us for that purpose. When these white men in Mexico do their whole duty and fail, when they take their lives in their hands in an honest effort to save their country and fail, then it will be time enough to look to us for aid.

Mr. SMITH of Arizona. Mr. President—

Mr. BACON. Let the Mexican people hear us, and let them know that it is known in the United States that the men of position, the men of property, the men of social standing, the men who pride themselves on their lineage are not willing to take their lives in their hands in order to have good government in that country, and that they are sitting back supinely and asking the United States Government to do it. For one I shall never agree to it. I do not know whether I have made myself definite or not. The Senator from New Mexico talks about my dealing in diplomacy. If that is diplomacy, let us have some plain talking.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. BACON. I do.

Mr. SMITH of Arizona. I do not know what white people the Senator refers to in the Republic of Mexico. As to the white Americans in Mexico, there are very few of them citizens of that Republic.

Mr. BACON. I am not speaking of them at all. I did not have them in my mind.

Mr. SMITH of Arizona. Of the Americans there, a large number are poor people working for wages on property there belonging to Americans. As to the people of Mexico, as far as my observations have gone and from what reading I have done of that country, it is a question of pure jealousy between the leaders of the parties and as to which one should do the ruling.

Mr. BACON. Exactly; and the men who should do the ruling, the men who should decide matters, are carefully taking care of themselves and trying to take care of their property, and particularly, above all things, trying to avoid the spilling of a drop of their own blood. That is what my information is. If I am wrong, if it be true that the white men of Mexico are not thus abandoning their duty, if it be true that they have arms in their hands, of course that presents a different question; but I understand that about the only white men in the field are generally leaders of these revolutionary bands, or aspiring to be such. If I am misrepresenting them, I am ready to retract it in the same place where I have made the charge.

Mr. President, I do not believe there will ever be a question about the truth of it, because I have made this inquiry from men in position to know, and I am told it is a fact that the men who have property, the men who have education, the men who have social standing, the men who have most to lose by revolution and most to gain by a well ordered and established government, will not take arms in their hands for the purpose of endeavoring to secure conditions in Mexico which would make their lives and their property safe and their institutions in harmony with that of other civilized nations.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. BACON. I do.

Mr. NORRIS. I should like to ask the Senator in reference to the joint resolution that is now before the Senate whether, in his judgment, the United States Government ought to treat the two present contending factions in Mexico the same, as far as permission to buy and transport arms and ammunition from this country is concerned?

Mr. BACON. Mr. President, I want to speak frankly to the Senator. I prefer that that question shall be carefully considered by the committee. I do not hesitate to say, though, speaking personally, that in the absence of a recognition of Huerta and in the belief which I entertain that his government is as much of a revolutionary government as that of the government now organized and having arms in the field in northern Mexico, in my opinion, we should, as far as practicable, equalize conditions between them.

Mr. NORRIS. As I understand it, we are not doing that at the present time.

Mr. BACON. If we are not, it is not due to the joint resolution of March 14, 1912.

Mr. NORRIS. Probably not.

Mr. BACON. That is what I wanted to call attention to. The joint resolution of March 14, 1912, does not make any difference between them. If the joint resolution is being complied with, there is no authority for any distinction between them, because the proclamation of the President prohibited the shipment of arms and munitions of war and did not distinguish between one party and the other party.

Mr. NORRIS. I understand there is a discrimination now.

Mr. BACON. Not under the joint resolution.

Mr. NORRIS. No; but under the operation of the joint resolution and the proclamation of the President there is a difference made between arms and ammunition going to the so-called Huerta government and the so-called insurgent government; and if there should be a difference, would it not follow that the Government logically ought to recognize—

Mr. BACON. If there is any difference it is the difference being made by the Executive order or by those who have charge of the enforcement of the law, who are doing it without Executive order, but it is not due to any defect in the joint resolution.

Mr. NORRIS. I might be wrong about it, but as I understand the situation it could have no legal effect until put in operation by the proclamation of the President, and the President did issue such proclamation, and it is under that proclamation that the discriminations take place.

Mr. BACON. The Senator is mistaken.

Mr. NORRIS. It is not by virtue of the proclamation, because the proclamation does not make any distinction. It may be done in violation of the proclamation.

Mr. BACON. Perhaps it is in violation of the President's proclamation. Very well; that is an entirely different proposition.

Mr. NORRIS. I concede it is. The question I was trying to get the Senator's opinion on is whether under existing conditions the two contending factions in Mexico should not be treated exactly alike by our Government.

Mr. BACON. I think the Senator will bear witness to the fact that I have answered that question.

Mr. NORRIS. I rather think the Senator has.

Mr. BACON. The Senator is repeating it as if I had not.

Mr. NORRIS. The Senator answered it, but said several other things incidentally that indicated to me at least that he had not answered it, and I wanted to call his attention particularly to the question.

Mr. BACON. I wish to say simply this, that while that is the present impression upon my mind, and it appears to me to be just and right, at the same time it is a matter of such gravity that I would not be willing to act without the careful consideration of the committee which is specially charged with the consideration of questions of that kind. I might be the only member of that committee who thought that way. I do not know. I think, anyhow, that the matter should be very carefully guarded, because we must bear in mind the fact that the origin of the joint resolution was dealing with an evil in the State of Texas, and it came before the Congress of the United States through a representation made by the President of the United States in consequence of an appeal made by the authorities of Texas. So we have not only in the question what regulation shall be made to look to the question of justice between these two contending revolutionary factions, but we have to carefully guard the interests of our own people, not only in Mexico but more particularly our people on our side of the line, because every man who goes on the other side necessarily goes there with a knowledge of the fact that he takes a risk when he goes in any country of that kind.

Mr. FALL. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. BACON. I do.

Mr. FALL. I notice on page 3258 of the RECORD of March 13, 1912, a statement made with reference to the joint resolution in which the name of Texas is used, and then the purpose of the joint resolution is set forth. I stated this, I think, in my opening, and I will read it from the RECORD. The statement made by the Senator from New York [Mr. Root], and it was the only statement made with reference to it, was the following:

The situation in Texas is such that it does not admit of delay for the purpose of the general reform of our neutrality laws, and the people of Texas are deeply interested in having this extension of power to the President made immediately.

With the extension of the application of the joint resolution from seaports to all places in the United States, the committee thought it was advisable to put some limitations upon the power which is included in the existing law, and so the power of the President to forbid the exportation of arms and munitions has been limited to countries in which he finds that domestic violence is being promoted by the procurement of arms and munitions of war from the United States. At the same time a penalty is affixed for the violation of the prohibition.

The conditions are such that thousands of Americans in Mexico are now fleeing from their homes there and are abandoning their occupations, their mines, their manufactories, and their business because it is necessary to do so to prevent their lives from being destroyed by arms and munitions which are being sold and transported across the border from the United States.

Mr. BACON. Yes; that is true; but it is also true, as stated by me, that the initiation of this matter was due to an appeal by the authorities of the State of Texas, and that, in recognition of that fact, when the President of the United States invited the Foreign Relations Committee to meet with him in the White House, with the Secretary of State present—I am not sure that it was the Secretary or whether it was one of his assistants, but certainly the State Department was represented—it was recognized by him at the same time that Texas was so immediately interested in it that the Senators from Texas should be invited to be present, and that they were present at that conference.

Mr. President, I merely want to say one other word in regard to the condition in Mexico and the responsibility resting upon the men who have the greatest stake in that country, to wit, the men who have the property, the men of intelligence, the men of education, and the men of social standing. As I have said before, in a discussion of this matter, it was suggested to me, when I spoke of the failure of the white men in that country to take arms in their hands and establish a government and maintain order, that they were scattered. It was then I made the inquiry as to the respective numbers, and I asked "How many are there in the whole of Mexico?" I was told there were about three and a half million white men in Mexico.

Mr. FALL. Does the Senator—

Mr. BACON. If the Senator will pardon me until I finish that statement—I have not quite finished—I will then yield to the Senator.

Mr. FALL. I suppose the Senator wants his statement to be correct.

Mr. BACON. I will yield to the Senator at the proper time, but not in the middle of a sentence.

When it was suggested that they were scattered I then asked the question, "How many are there in the City of Mexico?"

I was told there were between two hundred and three hundred thousand. I take up the calculation where I left it off, that there is right in the City of Mexico an army large enough under present conditions, and in view of the character of the roving bands which kick up all the fuss in Mexico and keep up all the disorder and revolution, there are in Mexico City itself enough white men when organized to restore order and to establish a proper government; but when you come to talk about the entire white population of Mexico—and in this I have no reference whatever to Americans, but I am talking about Mexicans—three millions and a half of white people mean, at the very lowest calculation, a half million of men between the ages of 18 and 45 years; and who doubts the fact that that half million of men—interested in the property of that country, vitally interested in the establishment and maintenance of good government and in the enforcement of the law—if they are ready to take arms in their hands and use them, can restore order and establish the good government in Mexico that some are now indirectly or directly appealing to us to establish for them.

Now I yield to the Senator from New Mexico.

Mr. FALL. The Senator from Georgia seems to object, Mr. President, and I have no further desire to interrupt him. I will later make a statement which I think may possibly cast some light on the subject.

Mr. BACON. I did not catch what the Senator from New Mexico said.

Mr. FALL. I said that the Senator, it seems to me, objects to the Senator from New Mexico interrupting him.

Mr. BACON. That is an utterly unwarranted statement.

Mr. FALL. I leave that to the record, Mr. President.

Mr. BACON. I objected to the Senator interrupting me in the middle of a sentence, but stated to him that I would yield when I got through. The Senator well knows the fact that I do not object to his interrupting me.

Mr. FALL. I call the attention of the Chair to the fact that I have not addressed the Senator nor opened my mouth except after addressing the Chair and having recognition of the Chair and the Chair asking the Senator to yield, and then the Senator would invariably break in with the statement that he did not want to be interrupted at that time. That is what I have reference to.

Mr. BACON. But with the promise that the Senator would be yielded to and be permitted to interrupt, and he has been so permitted. When the Senator intimates to the contrary, he is not justified by the facts.

Mr. FALL. I disagree with the Senator from Georgia; that is all.

Mr. BACON. Mr. President, I move that the resolution be referred to the Committee on Foreign Relations.

Mr. WILLIAMS. Mr. President, I desire to say a few words.

Mr. FALL. Mr. President, will the Senator from Mississippi yield to me for just one moment? I want to put a statement in the RECORD if I can.

Mr. WILLIAMS. Certainly, I yield.

Mr. FALL. Mr. President, there has been a great deal of talk about the condition of affairs in Mexico, the wealth of Mexico, and so forth, and the property interests of Americans. I desire to call the attention of the Senate to the statement from the official records of the State Department—I will say that it is not exactly accurate, as I happen to know, but the proportionate amounts are approximately correct—as to the total wealth of Mexico and who holds it.

As to the total wealth of the Republic of Mexico, Mr. President—remember, now, that this leaves out very largely the land holdings and the land lot values—the Americans have \$1,057,770,000 worth of property, and the Mexicans themselves, including all the real estate, town lots, and property of that kind, have \$792,187,242. Of the total valuation of the property of Mexico to-day Americans from the United States own 48 per cent, while the Mexicans own less than 28 per cent. You would relegate us to diplomacy to recover our money through taxation, taxing ourselves 48 per cent to pay back to ourselves the money and the property of which we have been deprived.

Mr. President, I hold in my hand a full schedule taken from the consular reports in the office of the State Department, and, if possible, I should like to have it spread upon the record for the information of the Senate. It contains the American, English, French, Mexican, and all other totals and percentages of property owned in that Republic by the Mexicans and by other people.

The VICE PRESIDENT. Is there objection to the request? The Chair hears none, and the paper will be printed in the RECORD.

The schedule referred to follows.

Wealth of Mexico.

Class.	Valuations.						Per cent.				
	American.	English.	French.	Mexican.	All other.	Total.	Amer-ican.	Eng-lish.	French.	Mexi-can.	All other.
Railway stocks.....	\$235,464,000	\$81,237,800		\$125,440,000	\$75,000	\$442,216,800	0.5324	0.1837		0.2837	0.0012
Railway bonds.....	408,926,000	\$7,680,000	\$17,000,000	12,275,000	38,535,380	504,416,380	.7245	.1553	0.0301	.0218	.0683
Bank stocks.....	7,850,000	5,000,000	31,000,000	31,050,000	3,250,000	79,050,000	.0993	.0633	.3921	.4042	.0411
Bank deposits.....	22,700,000			161,963,042	18,560,000	203,223,042	.1117			.7970	.0913
Mines.....	223,000,000	43,600,000	5,000,000	7,500,000	7,500,000	286,930,000	.7770	.1520	.0175	.0262	.0273
Smelters.....	26,500,000			7,200,000	3,000,000	36,700,000	.7221			.1962	.0817
National bonds.....	52,000,000	67,000,000	60,000,000	21,000,000		200,000,000	.2600	.3350	.3000	.1050	
Timberlands.....	8,100,000	10,300,000		5,000,000	750,000	24,750,000	.3272	.4102		.2263	.0303
Ranches.....	3,150,000	2,700,000		14,000,000		19,850,000	.1587	.1360		.7053	
Farms.....	900,000	700,000		47,000,000		49,700,000	.0192	.0152		.9406	.0250
Live stock.....	9,000,000			47,450,000	3,800,000	60,250,000	.1493			.7876	.0631
Houses and personal property.....	4,500,000	680,000		127,020,000	2,700,000	134,960,000	.0333	.0050		.9412	.0205
Cotton mills.....		450,000	19,000,000	6,600,000	4,750,000	30,200,000		.0149	.6291	.1987	.1573
Soap factories.....	1,200,000			2,780,000	3,600,000	7,580,000	.1583			.3668	.4749
Tobacco factories.....			3,238,000	4,712,000	895,000	8,845,000			.3661	.5327	.1012
Breweries.....	600,000		178,000	2,822,000	1,250,000	4,850,000	.1237		.0367	.5818	.2578
Factories, miscellaneous.....	9,000,000	2,780,000		3,270,200	3,000,000	18,650,200	.5147	.1491		.1754	.1603
Tramways, power and electric light plants.....	760,000	8,000,000		5,155,000	275,000	14,190,000	.0536	.5638		.3633	.0193
Stores, wholesale.....	2,700,000	110,000	7,600,000	2,800,000	14,270,000	26,880,000	.1004	.0041	.2604	.1042	.5309
Stores, retail.....	1,080,000	30,000	680,000	71,235,000	2,175,000	75,800,000	.0222	.0004	.0090	.0398	.0286
Oil business.....	15,000,000	10,000,000		650,000		25,650,000	.5848	.3899		.0253	
Rubber industry.....	15,000,000			4,500,000	2,500,000	22,000,000	.6818			.2045	.1137
Professional outfits.....	3,600,000	850,000		1,560,000	1,100,000	7,110,000	.5063	.1181		.2194	.1532
Insurance.....	4,000,000			2,000,000	3,500,000	9,500,000	.4211			.2105	.3884
Theaters.....	20,000			1,575,000	500,000	2,095,000	.0095			.7518	.2387
Hotels.....	200,000			1,730,000	710,000	2,700,000	.0963			.6408	.2629
Institutions, public and semipublic.....	1,200,000	125,000	350,000	74,000,000	200,000	75,875,000	.0158	.0016	.0046	.9753	.0027
Total.....	1,057,770,000	321,302,800	143,446,000	792,187,242	118,535,380	2,434,241,422	1.4345	1.1320	1.0589	1.3259	1.0487

* Average per cent.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia [Mr. BACON] to refer the resolution to the Committee on Foreign Relations.

Mr. WILLIAMS. If there are 500,000 white men in the Republic of Mexico who are not defending their homes and charging themselves with the maintenance of order, I apprehend that the trouble is that they are not armed. Unless the blood is peculiarly untrue to itself there, I can not account for the situation in any other way.

This debate has drifted very far from its moorings. The resolution offered by the Senator from New Mexico [Mr. FALL] is merely to repeal a resolution passed on March 14, 1912. So far as I am concerned, although it appears in the RECORD that I asked the Senator from New York a question concerning it, I did not apprehend that anything was being done except the strengthening of the neutrality laws of the United States. I had no idea that the time-honored neutrality laws and customs and practices of the United States were being repealed by an amendment to a war measure which was passed during the Spanish-American War. I should like to see the country go back to the principles which actuated it from the beginning and say to every American citizen, "You have a perfect right to sell arms or any other contraband of war, provided only you do so with the notice given you in advance"—which was given very far in advance, because I believe it was in the first year of George Washington's first administration, or, if not, the second year—"that you do your selling at your own risk." That is all there is involved in this joint resolution.

Mr. BACON. Mr. President, I repeat that I recognize that conditions have changed. It may be that this is a proper resolution to be adopted, but it ought to be carefully considered; and I have moved therefore that it be referred to the Committee on Foreign Relations.

Mr. FALL. Mr. President, I will say to the Senator that I have no objection to the consideration of the resolution by the Foreign Relations Committee, and, therefore, of its reference to that committee; but I do want to say that I am not a member of that committee, and I differ from some of its members very materially. I do not think that they understand, nor have they investigated, the conditions in Mexico and along our border. The conditions are exceedingly critical there. The Senator, I am going to say, will find himself in a position where he does not want to put himself nor put the United States by invoking just such action as he has been talking about now. You will have just such action before you want it, in my judgment, unless something is done to relieve the tension, and unless that is done soon, Mr. President, I fear that we are going to be dragged into a very much more serious situation than the chairman of the Foreign Relations Committee has the remotest idea of.

Mr. BACON. Mr. President, the Senator is probably not aware of the fact that the Committee on Foreign Relations have had considerable information in regard to this matter and have

heard at length from parties who are well informed and who have been living in Mexico, one of them particularly, at the instance of the Senator from Arizona, who brought before us a very intelligent and well-informed man, identified with one of the largest industries in Mexico, who was heard at great length. We have also had others before our committee, but we will be very glad to have still further information; and I will say to the Senator that there will be no disposition on the part of myself, nor do I believe on the part of any other member of the committee, to delay a report in regard to this matter.

Mr. SMITH of Arizona. Mr. President, I have no purpose or intention of prolonging this debate. It has arisen unexpectedly to me, and what I may say here now must carry with it my confession of unpreparedness to properly discuss a question of such profound importance, not only to our southern sister Republic, with whom we have so long lived in amity, to our mutual advantage and happiness, but still more is it important to the honor and dignity of the United States and our responsibility to other nations and to the peace of the world. I have very pronounced opinions about the Mexican situation, but I shall endeavor to suppress the expression of much that I should like to say at this time, hoping that in the more quiet atmosphere of the Committee on Foreign Relations or in executive session of the Senate we may temperately reach such conclusions as is demanded of Congress by the unhappy and unfortunate conditions now confronting us. I want in the outset to say, in justice to my place on this floor as well as to the just sentiment of those who sent me here, that I share fully their opinions in regard to our previous course in the Mexican imbroglio, and I share the shame they feel when I see the course our Government pursued in failure to promptly and adequately act in protection of the lives and property of our citizens doing business in Mexico and at the invitation of that Republic and under the double guaranty of its law and the treaty obligations which subsist between that Republic and ours. Both the laws of Mexico and the treaty with us demanded fair and decent treatment of our citizens domiciled within her borders. This has not been accorded by Mexico. It should have been enforced by the United States. This could have been done in the first place by our Government assuming its ancient, time-honored, and proper attitude, by open proclamation, that the United States stood ready to protect its citizens on any inch of the globe, and that all force necessary would be used for that purpose.

Instead of that Mr. Taft warned, by proclamation, all citizens of the United States domiciled in Mexico to offer no resistance to any outrage but to peacefully get out of that country. This was tantamount to an invitation to Mexico to drive them out if the Americans failed to follow the advice of our President. Mexico accepted that invitation, acted on it, and, against every precedent of international law, against every dictate of justice, against every sentiment of modern civilization, that Republic proceeded to drive our people like flocks of sheep from their

homes, their business, and their last dollar of hard-earned property. The homes they left behind were destroyed, their crops ruined, and, penniless, hungry, and almost naked, they stood on their native soil, the objects of and the slight beneficiaries of our Government's charity. These people needed no charity from our Government; they deserved and should have had its protection. No better citizenship ever left our land or returned to it under such degradation.

Since the advent of Madero and the usual revolution attending any accession to power in that country our citizens have been appealing to the executive branch of our Government for that protection guaranteed by every civilized nation to its citizens, but their cry has been unheeded, and, as the Senator from Massachusetts [Mr. LODGE] has well said, "there has been a lack of even any sort of energetic diplomacy."

That our Government has often requested the Mexicans to cease their aggressions has been the most warlike, bristling, dangerous statement yet made, so far as I have been able to hear or see. I am not now criticizing the present administration, for it has inherited these difficulties and mistakes; but I make bold to suggest that the time has come for energetic and, if need be, drastic measures to secure the lives and property and peace of our people in Mexico.

The Democratic Party long ago wrote glorious history in defense of American citizenship. I confess to a prideful love of the old doctrine—the American historic doctrine—that a peaceful American citizen, obeying the law of the land where he is sojourning, has a right to expect and will receive from his home Government all proper protection, regardless of cost or consequences.

A government unwilling to go this far deserves the censure of its citizens rather than the love, the pride, and the devotion otherwise so generously accorded.

Mr. President, I have no feeling of antipathy against Mexico. I have reason for kindly feeling toward that unhappy land, for many of its people are personal friends of mine. I wish it no harm; but, on the contrary, desire to see and welcome its peace and happiness. Modern civilization, however, demands not only of Mexico, but of all nations, that needless and brutal and bloody war must cease within their borders. Civilization demands that Mexico should be pacified; that a civilized government should be permanently established there. And I believe it can be done without our intervention, which the Senator from Georgia [Mr. BACON] seems so much to fear or dread. In my judgment this can be accomplished by now, and at once, correcting the mistakes made by the Taft administration.

The Romero revolution against Diaz was aided by that administration, in that it permitted the alleged rebels to buy contraband of war supplies and whatever else they saw fit to purchase, free from any restraint or embargo imposed by our Government. When the revolution against Madero broke out, all at once our Government stood behind him and refused to permit any supplies—even of bread and meat—to be purchased by the revolutionists; these men, in large numbers, being the very men that fought in the ranks of Madero and had rebelled against him even as they and he had rebelled against Diaz.

I believe that if the Taft administration had acted in the rebellion against Romero as it acted in Romero's rebellion against Diaz not one life in twenty of peaceful American citizens would have been lost nor one dollar in the hundred of their property destroyed. But, be that as it may, we are confronted by great duties and equally great responsibilities at this very minute, responsibilities which must be met with firmness and justice, or even greater and more fateful problems will force themselves on us for a more tragic solution. If we longer dally—I forbear, as I fear to look on the unfolding drama. The time in utter fullness has come for a warning to Mexico, couched in no uncertain terms, directed to the inhabitants of that country under whatsoever leaders they act, regulars or revolutionists, that no further hand shall be laid in oppression on any peaceful citizen of this Republic abiding in their land, nor shall his property be taken from him except at the peril of our national displeasure, which will involve at last the decree of full satisfaction from the aggressor. Long ago such warning should have been given. If unheeded then, its penalties should have been enforced. It is a rotten, decayed Americanism that would excuse its failure of proper protection to its citizens under the easy plea that they had no business in Mexico, that they only went there to better their own condition, and that they should flee and leave all behind them when so directed. The Pilgrims landed on Plymouth Rock to improve their condition. Every man not born in the Western States went there for the same purpose. Every man of us has a right to go when and where he pleases for the same purpose, unless restrained by the laws of the country wherein we seek

temporary domicile, and knowing that over our heads in all our lawful wanderings our country holds the shield of its protection. Outrages have been committed there against Americans that no money compensation could adequately measure. From correspondence as well as from the public press I am assured that men have been murdered there because they were Americans. That was their only crime.

As far as I know no compensation or redress has been demanded, no apology ever asked, and none certainly ever offered. These unspeakable outrages were visited on Americans because they were citizens of the United States, unshielded by their home Government and left, indeed, naked to their enemies. This statement is justified by comparison with the treatment accorded other nationalities similarly situated.

The Senator from New Mexico assured me the other day—if I fully remember his statement—that in the case of certain outrages on Chinese domiciled in Mexico, provision had been made by that Government to pay adequate and satisfactory damages to the Chinese Empire—or Republic, as now denominated—for the unwarranted assault on its subjects. This indemnity or redress was to be paid out of the loan then being negotiated by Mexico.

Of all the Americans killed in Mexico no offer of redress has been made, no excuse offered, no apology forthcoming. The inference is that China was more exacting in the face of national insult than we were, or else Mexico had more respect for China than for the United States, and made proper amends, out of a sense of decent duty to a friendly nation. These Chinamen were in Mexico just exactly as our citizens were in Mexico. Germany furnishes a more conspicuous example of national pride by collecting at once 100,000 marks for damages done several Germans in Mexico who were in that country under exactly the same circumstances and national guaranties that our 75 or 80 citizens were, who have been similarly killed by Mexicans and not one cent paid by Mexico or even demanded by us.

A still more conspicuous example claims our attention. In two battles between the warring factions in Mexico, one in Juarez opposite the city of El Paso, the other at Agua Prieta the little Mexican town just across the line dividing it from the city of Douglas, Ariz., many American residents of these two American cities were killed or wounded. American soldiers were near the line at both places.

They warned these factions not to fire across the line into our towns. No attention was paid to this warning. It was met with the usual contempt shown to us on all occasions. The then Secretary of State, when appealed to by the wounded and the representatives of the dead for redress, directed that those citizens wounded in their own town on American soil must first seek redress in the tribunals of Mexico before any right of diplomatic adjustment could arise. This monstrous proposition I met as best I could by introducing and having passed through this body a resolution creating a board of investigation, composed of officers of the Army of the United States, who proceeded under the terms of the resolution to El Paso and Douglas and took testimony and made findings as to the damages caused by this wanton violation of international law. On return of the report the Senate passed a bill to pay to the injured, out of our Treasury, the amounts found by the board and thus make the claim one by our Government against Mexico. The bill failed in the House, and at this session is again before the Committee on Foreign Relations of the Senate for action.

These incidents are cited to show that we have been long suffering and patient under boundless provocation. These outrages must cease. For the safety of our southern neighbor, for her prosperity and peace, I warn her, as I warn the Senate, that these intolerable outrages will have to stop or terrible reprisals will sooner or later follow.

Mr. VARDAMAN. Will the Senator yield for a question?

Mr. SMITH of Arizona. Certainly.

Mr. VARDAMAN. Are the State authorities not capable of dealing with the Mexicans who came on this side of the line and committed the crimes to which you refer?

Mr. SMITH of Arizona. The Senator evidently did not catch my statement fully. The Mexicans did not come on our side of the line; and if they had, I am sure the State would, as the Senator suggests, have found itself not only capable but quite willing to deal with the situation. The damage to our citizens was caused by the reckless firing of the Mexicans across the national line into our cities, and this after due warning from our people and the commanders of our troops stationed at these places. Right then and there was the time for our soldiers to cross the line and teach a lesson reviving the memory of Buena Vista, Sierra Gorda, Monterey, and Chapultepec. This should have been followed by the warning that wherever an outrage was thereafter committed against an American citizen in Mexico

the United States would not only demand redress but would, if necessary police with its soldiery the disturbing district to prevent similar recurrences.

Mr. President, what is to be the ultimate result of these frightful disturbances? Where and how will justice find a solution of the problems already presented? To the people of Mexico let us accord a proper desire to meet all international requirements by paying all proper damages to the injured sojourner within her gates and to the business interests which she has invited to her development. How are these damages to be paid? When are they to be settled? What revenue is to be found—from what sources raised—to meet the millions of dollars of damages suffered? As stated by my friend the Senator from New Mexico [Mr. FALL] over 40 per cent of all the property in the Republic of Mexico is owned by American citizens, while much of the remaining property there belongs to citizens of England, France, Germany, and Spain, with all of whom we are thus far happily on terms of perfect peace. I waive for the time any discussion of the Monroe doctrine and the obligations it may impose by demands of any of these powers on Mexico for redress of grievances and payment of damages. I think I discern some complications which it might be well to consider in advance.

In case we demand, as we surely must, that Mexico pay reasonable damages for wanton injury to life and property, where will the money come from? Inasmuch as fully two-thirds of the property in Mexico is alleged to belong to other people, then money derived from taxation must result in America, England, Germany, and Spain paying taxes on their own property to recoup the loss occasioned by the destruction of most of it. The property of our own citizens must be taxed to pay back to themselves the damages sustained by them. By the time they had paid themselves from such sources nothing of theirs would be left to tax.

I have no desire to proceed further. I have said this much merely as a warning to the Senate, and especially as a warning to the Republic of Mexico if, perchance, my words shall reach that far. I repeat that civilization and humanity demand the pacification of Mexico. Pray God that Mexico herself may find in herself virtue and courage enough to accomplish speedily that great result.

Mr. GALLINGER. Mr. President, I desire to ask the Senator how he explains the fact narrated by the Senator from Massachusetts [Mr. LODGE] that when a German subject was killed in Mexico and demand for reparation was made the Mexican Government promptly paid an indemnity to Germany, while it seems that numerous American citizens have been killed and no reparation whatever has been made?

One further observation: A citizen in my State, with a partner or two, has \$400,000 invested in Mexico. He went to Mexico a while ago to look into that matter and to make some inquiries. He asked a gentleman, I think in Mexico City, to introduce him to a Mexican official. The gentleman said to him, "I will introduce you as a German, but not as an American. If you want any favors, you must not come here asking them as an American." He said he was introduced as a German, and as he has a name that sounds somewhat like a German name he received courteous treatment, although his property had been practically destroyed. How does the Senator explain the difference?

Mr. VARDAMAN. Will the Senator, before he takes his seat, tell me when that conversation occurred? Did it occur recently?

Mr. GALLINGER. Very recently.

Mr. VARDAMAN. This year?

Mr. GALLINGER. This year.

Mr. SMITH of Arizona. It is as simple as any proposition can possibly be. They have respect for Germany. Our treatment and our actions in that behalf have been such that they have no respect for us. When the commander of the German war vessel went to the Madero Government and told it that there had been an outrage committed on a German citizen, he demanded in the name of the Emperor indemnity for it. He was told, so I have been informed, "Congress is not in session and we can not pay without warrant of Congress." He replied: "Well, I will not go back on board my vessel until I get it." He got the 100,000 marks.

What did the people that you and I know ever get from that Government for similar damages?

Mr. President, our people did not go as wild adventurers into Mexico. Every inducement was held out by that Republic to American capital. We were invited there under promise direct of full protection. Our people accepted the invitation in good faith, and carried millions on millions of dollars, and spent it in paying labor an unprecedented wage in developing the

great resources of that country. And when all this money and the labor of years besides is turned to Dead Sea fruit, gentlemen here say to us we had no business going there. But these retorts come from a class of men who never went anywhere. And Jamestown and Plymouth would mark all American progress up to this hour if men only such as these had sprung from the loins of those heroic pioneers who braved the unknown deep and established the first settlements on the eastern shores of this continent.

Particularly was this invitation of Mexico extended to the members of those Mormon colonies who settled on land granted by the Republic, and to whom every guaranty of protection was accorded. These men were American citizens, and in all our land there has not been found a more frugal, industrious, courageous, law-abiding citizenship, and in all Mexico there was no settlement that did more by example to teach the natives the art and the value of agriculture, and the equally important lesson of obedience to law, the rewards of honest industry, and the happiness of peace.

These men and women were not afraid of work, nor were they afraid of foes. They had the will and courage to defend themselves against brigands and robbers. But after they had through years of toil established comfortable—yes, prosperous—homes they were told by our then President not to resist any aggression, but in case of any trouble to come away and leave behind the accumulation of years of patient toil. Thus admonished they could not resist and were driven back penniless to our shores. Their houses, as I have before said, were destroyed; their stock confiscated in mere wanton, devilish malice; their household furniture was demolished, carpets cut in shreds from the floor, and the land which they had made to bloom was left unto them desolate. No protest from our Government was ever made to Mexico as far as I know. If made, it was never heeded. Their condition on returning to their native soil was such that common justice forced me to appeal to Congress and persuaded Congress to give from the Public Treasury many thousand dollars to relieve their hunger and clothe their nakedness. It was humiliating to our national pride to so use the national funds, and far more humiliating to these brave and self-reliant people to be forced from necessity to accept it. These men, some of them burdened with the weight of many years, are starting out again where in youth they started, to provide, if may be, a shelter from the storms of their last days. In the light of these facts do you wonder why the ordinary Mexican in Mexico has no respect for an American within her borders, and equally as little respect—yes, worse than that, actual contempt—for our Government? This is mildly illustrated by their offer to pay \$500 for each American killed by the Mexicans firing across the line into the cities of Douglas and El Paso.

In vain does the Senator from Georgia [Mr. BACON] appeal to the patriotism of what he designates as the white men of Mexico. It will not move them to action in the pacification of their own country, nor will his impassioned appeal to their patriotism protect one American life in Mexico or guarantee one dollar of American property against extortion or confiscation. If their own patriotism does not avail to protect themselves and their property from violence at the hands of their own neighbors, how worse than vain it is for us to hope that protection will be accorded to our people.

Mr. President, the question is grave and urgently presses for a quick and just settlement. Under present conditions we can not recognize the present Government. We are equally prohibited by various reasons from recognition of belligerency. One thing to my mind is sure and clear, and that is that the order issued by President Taft preventing our trade in anything we please with Mexico or any of its citizens should be rescinded. The resolution presented by the Senator from New Mexico [Mr. FALL] should be reported to the Senate and passed at once. If we refuse to give due protection to our own citizens, we should at least permit them to buy and bear arms for their own protection. If Huerta can not suppress insurrection in Mexico, why should we lay embargo on American trade with the people of Mexico? A tragic comedy of errors—if you will permit the paradox—has attended our whole dealing with this delicate subject. It is up to Congress to act. While I hope without hope that this Congress will adjourn at an early date, I further and more earnestly hope that before it ends we shall give to this question the consideration that national self-respect and common civilization so urgently requires at our hands and some means other than taxation of the injured may be found to pay the damages inflicted.

Mr. BACON. I should like to ask the Senator a question. The Senator deprecates the possibility that when damages are paid, a large proportion of the indemnity money will be raised from

taxation upon property owned by Americans in Mexico. That is what I understood the Senator to say.

Mr. SMITH of Arizona. Yes.

Mr. BACON. I should like to ask the Senator from what other source the money is to be obtained for the payment of indemnity, except the source of general taxation on all property in the country?

Mr. SMITH of Arizona. Oh, we had one other settlement with Mexico before. The question does not even need an answer.

Mr. BACON. What I mean is that the Government itself can not get the money to pay indemnity except in the very way the Senator deprecates.

Mr. SMITH of Arizona. Yes; it has other ways of payment.

Mr. BACON. How?

Mr. SMITH of Arizona. If I were going to have my way, I would make an arrangement of this kind with Mexico, if the Senator wants my real opinion about it—

Mr. BACON. Yes; I do.

Mr. SMITH of Arizona. I would take, under an agreement with them, the Colorado River, which is already troubling our people, under an order of one of the departments, from its mouth clear up into Colorado. I would extend the line of Arizona from the corner of New Mexico straight to the West until it struck the northern part of the Gulf, and I would make provision with Mexico to take in southern California.

Mr. BACON. I understand the Senator now.

Mr. SMITH of Arizona. Then, from these sources—and if these are not enough, I would have enough more added to the northern boundary—let our Government itself realize the money to pay the damages which our people have already sustained, and which Mexico is unable to pay otherwise.

Mr. BACON. Very well. I am very glad I asked the Senator the question, because we now know exactly what he is after. Before that I was a little troubled to know how an indemnity was going to be had which would not include in the burdens imposed the proceeds from taxation upon property situated in that country which belongs to American citizens; but the Senator has made that plain.

Mr. SMITH of Arizona. Let me ask the Senator a question.

Mr. BACON. I understand the Senator fully.

Mr. SMITH of Arizona. It may be, but I do not understand the Senator from Georgia fully.

Mr. BACON. The Senator now proposes to take a big section of that country. My opinion is that whenever we yield to such appeals as we have now and undertake to police—which means nothing else than invade—that country by an armed force, we are going to take not only the particular little section that the Senator refers to—

Mr. SMITH of Arizona. I protest against the language of the Senator. I did not say that. I did not say "take."

Mr. BACON. What does the Senator mean?

Mr. SMITH of Arizona. I said I would make an arrangement, if possible, with the Republic of Mexico whereby we would be put in possession of, or "take," if you please, under that restriction, this particular part of her territory. Let me ask the Senator a question.

Is the Senator ready, then, out of the magnificence of his desire to see that we maintain perfect relations with that country, to vote out of the Treasury of the United States, unequivocally, damages for the people of the United States that have been outraged in Mexico?

Mr. BACON. Most undoubtedly not.

Mr. SMITH of Arizona. Undoubtedly not? Then how are you going to get damages for our citizens outraged in Mexico?

Mr. BACON. I suppose that when we get them it will have to be in the way of money received by the Government of Mexico from general taxation. But I understand the Senator's proposition to be—I do not know what word to use in the place of "take"—to get in some way, without taking, the northern quarter of Mexico as indemnity.

Mr. SMITH of Arizona. That is not a proper statement. I never made any such statement as that. I did not include one one-twentieth part of the northern quarter of Mexico in my statement.

Mr. BACON. I was mistaken about the geography, then.

Mr. SMITH of Arizona. Mr. President, this colloquy reveals the different sentiment prevailing here. No Senator here feels a sympathy deeper than mine for the present unhappy condition of Mexico. No man here or elsewhere desires more than I to see our sister Republic prosperous, peaceful, and happy. Yet, while animated by this desire for her glory, I owe an equal—yea greater—obligation to our citizens and our own honor as a Nation. No conquest of Mexico could add anything to our renown; no war with her is necessary if her people will

cease depredations on our people and make reparation for damage already done. Civilization demands this.

The common dictates of humanity require it. Decent respect for our rights would secure safety and peace to our citizens domiciled in Mexico. Such decent respect must be accorded. These depredations must cease or the consequences and all responsibility for them must rest on the offending country. This is no time to dally. Any further delay in enforcing our just demands for peace and order in Mexico—for the security of life and property of our citizens there—to provide for the settlement and speedy adjustment of damages already suffered by us is the urgent demand of the hour. Further nerveless protest will be as unavailing as all such supplications have been in the past. Further temporizing is hazardous. Peace is sweet and above most things on this earth to be desired, but when purchased at the price of honor or maintained by shameful submission to injustice and wrong it ceases to be desirable, commendable, or decent. War with all its horrors is far better than peace at such a price. But we do not want war. We desire to avoid it. Unjustified war is as brutal, degrading, and devilish as that now being waged all over Mexico. What are they fighting about? Not one in ten of the deluded followers of ambitious adventurous leaders are guided by any principle of government or devotion to any cause. In this maelstrom of destruction the death or dethronement of one leader gives no relief to the situation, but only tends to prove to deluded followers that revolution is their only profitable employment and robbery and pillage their only asset. These conditions will continue until outside power or influence shall change it. It devolves on us to use that influence peacefully but firmly and to the extreme limit, and, failing in this, then as a last resort use with equal firmness the power necessary.

Mr. President, to evade the conclusion that might arise in some minds from the colloquy between me and the Senator from Georgia [Mr. BACON] that I was in favor of taking by force any part of the territory of Mexico as an indemnity for damages to our citizens, I wish to make clear and explicit exactly my position in that regard. I infer that Mexico recognizes her obligations to foreigners within her territory, and like all civilized nations will pay willingly all just claims for damages when fully and properly ascertained, and inasmuch as all collections from export and import duties have been pledged by the Government of Mexico to the payment of certain loans, and as money raised from direct taxation of property would largely impose the burden of paying these damages on the very persons who suffered the wrongs, that Mexico would not be averse to making a settlement of all claims by ceding certain lands to us in full settlement of all our claims, and if need be, enough for us to assume and pay all just claims of the other foreigners damaged in Mexico. This seemed to me and now seems the most felicitous and easy way for Mexico and for us to find an honorable way out of our difficulties. Hence I suggested that arrangements might be effected with Mexico to that end and to our mutual advantage. Beginning at the corner of New Mexico and prolonging the international line on a due west course to the Gulf would take only a fraction of sparsely settled territory from Mexico and of little value to us, except giving, as it would, control of the mouth of the Colorado River. These negotiations or such arrangement would be futile unless we also obtained title to Lower California, of very doubtful value to Mexico but of very great advantage to us. If such arrangement could be made peacefully with Mexico, it should at once be done. If continuing outrages on our citizens in Mexico shall at last break the back of our long-suffering patience and intervention with consequent war follows, then on final war indemnity the grant of the country lying north of a line from the mouth of the Rio Grande to the southern point of Lower California would be far less than a reasonable concession. But we do not want Mexico nor any part of it. We do want peace and security there, and Mexico must establish it.

Mr. President, there are other grave questions surrounding the present case that must not be evaded. On our interpretation of the Monroe doctrine, no matter what opinion may be entertained by other powers, we are in a serious degree involved with England, Germany, and France, who have claims similar to ours against Mexico, but without the right to seize, if necessary, territory in settlement of the claim or hold any permanent possession in Mexico in collection or satisfaction thereof.

By some writers of great reputation in matters of international relations and international law the Monroe doctrine is a standing intervention by the United States in the affairs of the American Republics. In his strictures on the Monroe doctrine, Bonfil, page 157 of his *Le Droit International Public*, says:

"This declaration is contained in a message addressed to the Congress of the United States December 2, 1823, by President

Monroe, on the occasion of the struggle of the Spanish colonies for independence. The message contained two declarations, the one without object to-day, which relates to the colonization of the American Continent, the other which refers to the attempts made to replace the Spanish colonies under the yoke of the mother country. Monroe has taken the opinion of Jefferson. Authors have interpreted the meaning of this message differently. In our eyes at the end of this message the United States poses as protector of the entire American Continent. The message admits the interference of the United States in all American affairs, North and South. Far from being an act of non-intervention, this declaration is itself a formal intervention. The President resorted to menace to prevent European States from mixing in the quarrel existing between Spain and her colonies. Pradier-Fodéré says very justly 'that in declaring that the great Republic considered as dangerous for its tranquillity and its security all attempts on the part of European powers to extend their political system to any part whatever of the American Continent, he (the President) mixes indirectly in the interior affairs of the Republics of the New World other than the United States; he makes intervention by anticipation and to the profit of the Union, for to prevent other Governments from intervening is to intervene.'

"The effect of this message was notable. Public opinion was not deceived as to its true import. Since then the United States has invoked the Monroe doctrine to mix in the affairs of Central America. It was also recalled in the French intervention in Mexico and at the time of the cession of the Panama Canal by Colombia. Secretary Blaine, in a circular of October, 1881, and a dispatch of November 19, 1881, strove to prove that the Isthmus of Panama and the canal destined to pierce it should be under the exclusive control of the United States. In 1881 the United States wished to prevent Chile, the conqueror of Peru, from annexing a part of Peruvian territory. In 1886 the United States intervened in the affair of the island of Crete. In January, 1889, a vote was taken in the Senate upon a proposition of Senator Edmunds with a view to recalling to the European powers the fact that the Monroe doctrine was still in force. The message of President Harrison was conceived in the same spirit. (New affirmations of the Monroe doctrine were had in 1895 and 1896 in the dispute relating to the boundary between Great Britain and Venezuela, and in 1895-1897 in the Cuban insurrection against Spain. The part which the United States in 1903 seemed to have taken in the establishment of the Republic of Panama, in consequence of the refusal by the Colombian Parliament to ratify the treaty concerning the Panama Canal, is also to be noted.)"

If we adhere to the doctrine here enunciated, I fail to see how we are to escape some responsibility to the powers holding claims against Mexico. If peace is not speedily restored, I can not see, in the light of our obligations to ourselves and to the other powers interested, how we are to avoid intervention, how much so ever we may hate to take that step. With not one-half the provocation offered by Mexico, we did not hesitate to intervene in Cuba and force a war with Spain. Our causeless seizing and senseless holding of the Philippines has taught us a lesson of patience, but all the direful results of such occupancy has not absolved our obligation to protect our citizens from brutal wrongs wherever perpetrated. Our intervention in Cuba was placed on the grounds of humanity and protection of commerce; and though this extreme cause for intervention has never been recognized by the best authorities on international law, yet it was justified by the high purpose animating the act and by the actual facts of the whole case as then presented to the world. This intervention was foreshown by President Cleveland, who, on December 7, 1896, in a message to Congress said:

When the inability of Spain to deal successfully with the insurrection has become manifest and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge. Deferring the choice of ways and methods until the time for action arrives, we should make them depend upon the precise conditions then existing, and they should not be determined upon without giving careful heed to every consideration involving our honor and interest or the international duty we owe to Spain. Until we face the contingencies suggested or the situation is by other incidents imperatively changed, we should continue in the line of conduct heretofore pursued, thus in all circumstances exhibiting our obedience to the requirements of public law and our regard for the duty enjoined upon us by the position we occupy in the family of nations.

A contemplation of emergencies that may arise should plainly lead us to avoid their creation, either through a careless disregard of present duty or even an undue stimulation and ill-timed expression of feeling. But I have deemed it not amiss to remind the Congress that a time may arrive when a correct policy and care for our interests, as well as a regard for the interests of other nations and their citizens, joined

by considerations of humanity and a desire to see a rich and fertile country, intimately related to us, saved from complete devastation, will constrain our Government to such action as will subserve the interests thus involved and at the same time promise to Cuba and its inhabitants an opportunity to enjoy the blessings of peace.

On April 11, 1898, President McKinley sent his now famous message to Congress on which ensued the War with Spain, which broke the shackles of Cuba, but put the yoke of our domination on the neck of the Filipino.

That message is so appropriate to present conditions that liberal citation may not be amiss.

The President said:

As to the first, it is not to be forgotten that during the last few months the relation of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result, just and honorable to all interests concerned. The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untarnished by differences between us and Spain, and unstained by the blood of American citizens.

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring States have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds. It involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

The grounds for such intervention may be briefly summarized as follows:

First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is specially our duty, for it is right at our door.

Second. We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no government there can or will afford, and to that end to terminate the conditions that deprive them of legal protection.

Third. The right to intervene may be justified by the very serious injury to the commerce, trade, and business of our people, and by the wanton destruction of property and devastation of the island.

Fourth. And which is of the utmost importance. The present condition of affairs in Cuba is a constant menace to our peace, and entails upon this Government an enormous expense. With such a conflict waged for years in an island so near us and with which our people have such trade and business relations; when the lives and liberty of our citizens are in constant danger and their property destroyed and themselves ruined; * * * all these and others that I need not mention, with the resulting strained relations, are a constant menace to our peace, and compel us to keep on a semiwar footing with a nation with which we are at peace.

Substituting the word "Mexico" for "Cuba" in this message, you have a temperate and underdrawn statement of present conditions in Mexico.

Mr. President, I have before me a most valuable contribution to the volumes of learning on international law, written and compiled in the Solicitor's office of the State Department, from which I cite instances where we have intervened with force of arms for the *simple protection of American citizens*.

This was the purpose of the landing of forces in China, 1854; Uruguay, 1855 and 1858; China, 1859; Africa, Kisembo, 1860; Panama, 1860; Japan, 1868; Uruguay, 1868; Egypt, 1882; Korea, 1888; Navassa Island, 1891; Chile, 1891; Hawaii, 1893; Korea, 1894; Nicaragua, 1899; China, 1900; Santo Domingo, 1903; Honduras, 1907; Nicaragua, 1910; Honduras, 1910 and 1911.

Several times we have landed our troops on foreign soil to punish for the *death of American citizens*. This occurred at Sumatra in 1883, Fiji Islands in 1840, Samoa in 1841, Fiji Islands again in 1858, and Formosa in 1867.

We in times past have not hesitated to invade other countries to punish for insults and injuries to American citizens or American officers. As instances we refer to our action in Porto Rico in 1824; Falkland Islands, 1831; Nicaragua, 1854; Fiji Islands, 1855; China, 1856; Japan, 1863; and Korea in 1871.

For securing indemnity alone we landed troops on the island of Johanna in 1851, Japan in 1864, and Haiti in 1888. As early as 1817 we invaded the Spanish Floridas to protect American citizens.

Our history is loaded with examples of our landing on foreign soil to simply protect American interests, and we should have repeated that history by landing troops in Mexico as soon as it became evident that Mexico could not or would not give protection to American lives and American property within her borders. Such invasion by us for such purpose is not a declaration of war, nor is it tantamount to such declaration, nor could it under the circumstances be justly construed as an act of hostility. Such action is rightly based on a higher law than is found in international codes, for it rests on the natural law of self-defense, as dear to a proud nation as to a brave man. Hall, in his work on International Law, sixth edition, page 264, recognizes the principle in the following language:

There are, however, circumstances falling short of occasions upon which existence is immediately in question, in which, through a sort of extension of the idea of self-preservation to include self-protection against serious hurt, States are allowed to disregard certain of the

ordinary rules of law in the same manner as if their existence were involved. This class of cases is not only susceptible of being brought under distinct rules, but evidently requires to be carefully defined, lest an undue range should be given to it.

Oppenheim has more tersely, and with what is believed to be more accuracy, set forth the real legal situation which exists on such occasions in the following language:

Now a State may have a right of intervention against another State for several grounds. * * * Thus, secondly, the right of protection over its citizens abroad which a State holds may cause an intervention by right, to which the other party is legally bound to submit. (Oppenheim, International Law, 1, p. 183.)

On this point there may be appropriately quoted also the language of the circuit court at Kansas, in *Hamilton v. McClaghry* ([1905] 136 Fed., 445), in which Pollock, district judge, said:

It has been well said the safety of the people is the supreme law of the land. The first duty of a State is the protection of the lives and property of its citizens, wherever lawfully situate, by peaceful means, if possible; if not, by force of arms. More especially must this protection be afforded the accredited representatives of this Government in a foreign country.

Further, citing the compilation to which earlier credit was given, I maintain with it and in the language used, to wit:

First. That the use of the forces of the United States in foreign countries to protect the lives and property of American citizens resident in that country does not constitute an act of war, and is therefore not equivalent to a declaration of war.

Second. The President, as the Chief Executive of the United States, charged with the responsibility of conducting our foreign intercourse, including the protection of the lives and property of our citizens abroad, has the authority to use the forces of the United States to secure such protection in foreign countries.

This second clause is subject, probably, to exceptions, depending on the facts surrounding the particular case; and while I am not ready to accept the doctrine to the full extent stated, yet I am sure that invasion of Mexico by our soldiers under order of the President at the time our citizens were killed and wounded at Douglas, Ariz., and El Paso, Tex., would not have been an act of war, and no declaration of war by Congress was necessary in order to justify or sanction the act.

Proper and prompt action by President Taft, using in the beginning all necessary force for the purpose, would have saved many lives and prevented the destruction of millions on millions of American property and would have averted the more serious trouble which, come it soon or come it late, seems now almost inevitable. American citizens can not longer be held for ransom within sight of their native soil. American labor must no more be driven with abuse and insult from its honest toil by regular soldiers or lawless brigands in Mexico. All factions should take notice that some means of subsistence other than American cattle grazing on lands owned by American citizens must be found. Our women shall no longer be driven by fear from place to place seeking protection from brigands masquerading in the guise of soldiers.

I know not what course others may take, but as for me, at all hazards and at any price, I demand protection for my countrymen and the enforcement of that demand against any offending nation under the sun.

I have a pride in the history that my country's deeds have written. I want those who come after me to read with unabated pride the further story of this Republic. Let us put no blot on that page by any act of injustice or oppression or dim its glory by submitting to either. Let it still be known that the man from Massachusetts shall be safe in Madagascar. Let it still be known that the American who walks in peace anywhere on all the globe has Old Glory waving over him. Justify to the minds of our boys and girls the Roman boast that to be a citizen of this Republic were better than a king.

Mr. BACON. Mr. President, has the joint resolution been referred to the committee?

The VICE PRESIDENT. Not yet.

Mr. BACON. I move that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The Senator from Georgia moves that the joint resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened.

HOOR OF MEETING TO-MORROW.

Mr. STONE. I move that when the Senate adjourns to-day it adjourn to meet to-morrow at 2 o'clock p. m.

The motion was agreed to.

REUNION CELEBRATION AT GETTYSBURG, PA.

The VICE PRESIDENT. The Senator from Alabama [Mr. BANKHEAD] and the Senator from Delaware [Mr. DU PONT] being unable to serve on the committee appointed to represent the Senate at the Gettysburg celebration, the Chair appoints in their place the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. OLIVER].

PROPOSED LAKE ERIE DAM (S. DOC. NO. 118).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

Pursuant to the provisions of an item contained in the river and harbor act of 1902, and subsequent amendments, providing for the formation of an International Waterways Commission and defining its duties, I have the honor to transmit herewith the final report of said commission upon the proposed dam at the outlet of Lake Erie.

Should Congress make provision for the printing of such report as a document, the American section of the commission requests that 500 copies thereof be made available for its use.

WOODROW WILSON.

THE WHITE HOUSE, June 27, 1913.

CONFEDERATE VETERANS' REUNION, BRUNSWICK, GA.

Mr. JOHNSTON of Alabama. From the Committee on Military Affairs I report back favorably with an amendment the joint resolution (H. J. Res. 98), authorizing the Secretary of War to loan certain tents for the use of the Confederate veterans' reunion, to be held at Brunswick, Ga., in July, 1913, and I ask consent for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendment was, on page 1, line 7, after the word "ridges," to strike out "and," and in the same line, after the word "pins," to insert the words "and cots," so as to read: "with necessary poles, ridges, pins, and cots."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 103) appropriating \$4,000 to defray traveling expenses of soldiers of the Civil War, now residing in the District of Columbia, from Washington, D. C., to Gettysburg, Pa., and return, and it was thereupon signed by the Vice President.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1917) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914.

ASSIGNMENT OF DISTRICT JUDGES.

Mr. O'GORMAN. From the Committee on the Judiciary, to which was recommended the bill (S. 2254) to amend chapter 1, section 18, of the Judicial Code, I report it back favorably, with amendments, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments of the Committee on the Judiciary were, on page 1, line 5, before the word "senior," to strike out "any" and insert "the"; in line 6, before the word "circuit," to strike out "any" and insert "the second"; in line 7, before the word "circuit," to strike out "the" and insert "said"; in the same line, after the word "circuit," to strike out "in which the district lies"; in line 11, before the word "circuit," to strike out "the" and insert "said"; and in line 14, after the word "court," to insert "within the said second circuit"; so as to make the bill read:

Be it enacted, etc., That chapter 1, section 18, of the Judicial Code be amended by adding thereto the following:

"Whenever it shall be certified by the senior circuit judge of the second circuit, or, in his absence, by the circuit justice of said circuit,

that on account of the accumulation or urgency of business in any district court in said circuit it is impracticable to designate and appoint a sufficient number of district judges of other districts within said circuit to relieve such accumulation or urgency of business, the Chief Justice may, if in his judgment the public interests so require, designate and appoint the judge of any district court in another circuit to hold a district court within the said second circuit, and to have and exercise within the district to which he is so assigned the same powers that are vested in the judge thereof: *Provided*, That such judge so designated and appointed shall have consented, in writing, to such designation and appointment: *And provided further*, That the senior circuit judge of the circuit within which such judge so designated and appointed resides shall certify, in writing, that the business of the district of such judge will not suffer thereby. Such appointment shall be filed in the clerk's office and entered on the minutes of the said district court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk to the judge so designated and appointed. Each of the said district judges may, in the case of such appointment, hold separately, at the same time, a district court in such district, and discharge all of the judicial duties of the district judge therein."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXPORTATION OF ARMS TO MEXICO.

Mr. SMITH of Arizona. I ask unanimous consent that I may print some proclamations and other public documents in the few remarks I made this evening. I ask leave to insert nothing except extracts from historical documents that I should like to put in as a part of my remarks.

The VICE PRESIDENT. Is there objection? The Chair hears none, and permission is given to the Senator from Arizona as requested.

COMMISSION ON VOCATIONAL EDUCATION.

Mr. SMITH of Georgia. Mr. President, Calendar No. 38 is a proposed joint resolution unanimously reported by the Committee on Education and Labor. It provides for a commission of nine men, to be appointed by the President, to study the question of vocational education and report to us at the next session of Congress. It is important that it should be passed and go to the House at once to be concurred in. I think there will be no opposition at all to it. I ask unanimous consent to take up the joint resolution.

Mr. WILLIAMS. Reserving the right to object, I want to see what it is.

Mr. SMOOT. While the Senator from Mississippi is looking at the joint resolution, I should like to ask the Senator from Georgia if in reporting it the amendments were made that I suggested.

Mr. SMITH of Georgia. No; the joint resolution had been reported unanimously before that time, but on the floor of the Senate I intend to ask to add one amendment, the words "or so much thereof as may be necessary."

Mr. WILLIAMS. I have no objection to the consideration of the joint resolution.

Mr. SMOOT. I have no objection to its present consideration, but I also want to offer one other amendment not suggested by the Senator from Georgia.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 5) providing for the appointment of a commission to consider the need and report a plan for national aid to vocational education, which was read as follows:

Resolved, etc. That the President of the United States is hereby authorized to appoint a commission consisting of nine men whose duty it shall be to consider the need and report a plan, not later than December 1 next, for national aid to vocational education.

Sec. 2. That the members of said commission shall be paid their actual traveling expenses and subsistence while engaged upon the work of said commission.

Sec. 3. That said commission shall have authority to employ a secretary and to make such investigations into local conditions of the respective States as they deem necessary, the entire expense of the commission not to exceed the sum of \$25,000.

Sec. 4. That the sum of \$25,000 be, and the same is hereby, appropriated to meet the expenses of the said commission.

Mr. SMITH of Georgia. I move to amend, after the figures "\$25,000," in section 4, page 2, line 6, by inserting the words "or so much thereof as may be necessary."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In section 4, page 2, line 6, after the sum "\$25,000," it is proposed to insert "or so much thereof as may be necessary," so as to make the section read:

Sec. 4. That the sum of \$25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated to meet the expenses of the said commission.

The amendment was agreed to.

Mr. SMOOT. Now, Mr. President, I move to amend by striking out "\$25,000" in line 5, page 2, section 3, and also striking out "\$25,000" in line 6, page 2, section 4, and inserting "\$15,000" in both those places. The reason I suggest the amendment is this—

Mr. WILLIAMS. That is all right.

Mr. SMOOT. If the Senator from Georgia will accept the amendment, I will have nothing to say.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. SMITH of Georgia. Mr. President, I have never had charge of an investigation of this kind and do not know how much money is necessary for the purpose. I should regret to have the commission find that they did not have enough money for the work.

Mr. SMOOT. So would I.

Mr. SMITH of Georgia. If \$15,000 will be plenty, I do not want another dollar for it.

Mr. GALLINGER. I will make the suggestion that I feel sure that \$15,000 will be entirely adequate.

Mr. SMITH of Georgia. I will accept the amendment.

Mr. GALLINGER. Some years ago I chanced to be chairman of a commission that made an investigation covering the entire country, and we spent only about \$20,000.

Mr. SMITH of Georgia. Senators will observe that the resolution provides no compensation to anybody serving on the commission.

Mr. GALLINGER. Exactly.

Mr. SMITH of Georgia. I will accept the suggestion of the Senator from Utah [Mr. Smoot].

Mr. SMOOT. I am quite positive that \$10,000 is ample, but I am perfectly willing to make it \$15,000.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah [Mr. Smoot].

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMITH of Georgia. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 28, 1913, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate June 27, 1913.

COLLECTOR OF CUSTOMS.

James F. C. Griggs, of Florida, to be collector of customs for the district of Florida, in accordance with the reorganization of the customs service.

EXCISE BOARD FOR THE DISTRICT OF COLUMBIA.

Frank B. Lord, of the District of Columbia, for a term of three years from July 1, 1913.

Robert G. Smith, of the District of Columbia, for a term of two years from July 1, 1913.

John P. Colpoys, of the District of Columbia, for a term of one year from July 1, 1913.

COLLECTORS OF INTERNAL REVENUE.

Aaron O. Blalock, of Georgia, to be collector of internal revenue for the district of Georgia, in place of Henry S. Jackson, resigned.

Alston D. Watts, of North Carolina, to be collector of internal revenue for the fifth district of North Carolina, in place of George H. Brown, superseded.

ASSISTANT APPRAISERS OF MERCHANDISE.

Frank S. Terry, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to fill an existing vacancy.

James Fay, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to fill an existing vacancy.

UNITED STATES ATTORNEY.

Walter L. Guion, of Louisiana, to be United States attorney for the eastern district of Louisiana, vice Charlton R. Beattie, whose term has expired.

APPOINTMENT IN THE ARMY.

FIELD ARTILLERY ARM.

Herbert Slayden Clarkson, of Texas, late midshipman, United States Navy, to be second lieutenant of Field Artillery, with rank from June 26, 1913.

POSTMASTERS.

ALASKA.

John E. Worden to be postmaster at Wrangell, Alaska. Office became presidential October 1, 1912.

CALIFORNIA.

Nellie Pellet to be postmaster at Brawley, Cal., in place of Nellie Pellet. Incumbent's commission expired December 14, 1912.

COLORADO.

Finley Dye to be postmaster at Julesburg, Colo., in place of Charles W. White. Incumbent's commission expired June 9, 1913.

V. R. Liggett to be postmaster at Blanca, Colo., in place of Lewis F. Botens, resigned.

H. Reynolds to be postmaster at Greeley, Colo., in place of David E. Gray. Incumbent's commission expired January 11, 1913.

Huse Taylor to be postmaster at Cripple Creek, Colo., in place of Griffith R. Lewis. Incumbent's commission expired December 16, 1912.

CONNECTICUT.

Jeremiah J. Sullivan to be postmaster at Colchester, Conn., in place of Samuel H. Kellogg. Incumbent's commission expired February 9, 1913.

DELAWARE.

James J. English to be postmaster at Wilmington, Del., in place of M. H. Jester. Incumbent's commission expires June 28, 1913.

Rhubert R. German to be postmaster at Delmar, Del., in place of Charles C. Tomlinson. Incumbent's commission expired June 26, 1913.

FLORIDA.

Carrie S. Abbe to be postmaster at Sarasota, Fla., in place of Carrie S. Abbe. Incumbent's commission expired January 26, 1913.

William R. Dorman to be postmaster at Liveoak, Fla., in place of Charles N. Hildreth, jr. Incumbent's commission expired February 18, 1913.

James Harper to be postmaster at South Jacksonville, Fla. Office became presidential January 1, 1912.

E. J. Ricou to be postmaster at Stuart, Fla. Office became presidential April 1, 1913.

GEORGIA.

P. Brooks Ford to be postmaster at Sylvester, Ga., in place of P. Brooks Ford. Incumbent's commission expired April 15, 1913.

IDAHO.

W. J. Coltman to be postmaster at Idaho Falls, Idaho, in place of A. T. Shane. Incumbent's commission expired December 17, 1912.

F. E. Cornwall to be postmaster at Moscow, Idaho, in place of Joseph R. Collins. Incumbent's commission expired January 13, 1913.

A. McDermid to be postmaster at Kimberly, Idaho. Office became presidential April 1, 1913.

Simpson M. Rich to be postmaster at Paris, Idaho. Office became presidential October 1, 1912.

ILLINOIS.

Matthew Bollen to be postmaster at Havana, Ill., in place of Oscar H. Harpham. Incumbent's commission expired January 14, 1913.

E. Wynette Herlocker to be postmaster at Table Grove, Ill., in place of William D. Hall. Incumbent's commission expired January 11, 1913.

Clarence H. Hunt to be postmaster at Cambridge, Ill., in place of Theodore Baltenstern. Incumbent's commission expired December 14, 1912.

INDIANA.

K. B. Clark to be postmaster at Medaryville, Ind., in place of Samuel E. Nicoles. Incumbent's commission expired June 22, 1913.

James N. Culp to be postmaster at North Vernon, Ind., in place of Joseph S. Smith. Incumbent's commission expired February 23, 1912.

Charles Hatch to be postmaster at Fort Branch, Ind., in place of William L. Walters. Incumbent's commission expired March 2, 1913.

Charles Wright to be postmaster at North Manchester, Ind., in place of E. L. Lautzenhiser. Incumbent's commission expired June 14, 1913.

IOWA.

Warren A. Edington to be postmaster at Sheidon, Iowa, in place of A. W. Sleeper. Incumbent's commission expired December 14, 1912.

Henry Eppers to be postmaster at Montrose, Iowa. Office became presidential October 1, 1912.

Orson R. Hutchison to be postmaster at Arlington, Iowa, in place of Oswald Z. Wellman. Incumbent's commission expired June 25, 1913.

Frederick B. Sharon to be postmaster at Davenport, Iowa, in place of Alonzo Bryson. Incumbent's commission expired January 29, 1912.

KANSAS.

W. A. Corrigan to be postmaster at Haviland, Kans., in place of N. H. Mendenhall. Incumbent's commission expired April 15, 1913.

Charles H. Harvey to be postmaster at Haddam, Kans., in place of Charles W. Yoder. Incumbent's commission expires July 23, 1913.

LOUISIANA.

Pearl Collins to be postmaster at Eros, La. Office became presidential April 1, 1913.

MAINE.

Alner C. Gilbert to be postmaster at Monson, Me., in place of Roy M. Hescock. Incumbent's commission expired January 12, 1913.

MASSACHUSETTS.

Henry K. Bearse to be postmaster at Harwich, Mass., in place of Henry K. Bearse. Incumbent's commission expired May 6, 1913.

L. F. McNamara to be postmaster at Haverhill, Mass., in place of Charles M. Hoyt. Incumbent's commission expired January 12, 1913.

Nel R. Mahoney to be postmaster at North Billerica, Mass. Office became presidential October 1, 1912.

Osgood L. Small to be postmaster at Sagamore, Mass., in place of Osgood L. Small. Incumbent's commission expired December 14, 1912.

Lawrence J. Watson to be postmaster at Beverly Farms, Mass., in place of William R. Brooks. Incumbent's commission expired March 29, 1913.

MICHIGAN.

George F. Carrier to be postmaster at Three Oaks, Mich., in place of Theron D. Childs. Incumbent's commission expired December 14, 1912.

William J. Lewis to be postmaster at Boyne City, Mich., in place of Robert E. Newville. Incumbent's commission expired June 14, 1913.

James E. Sharp to be postmaster at Grant, Mich., in place of Jens Hemingsen. Incumbent's commission expired December 14, 1912.

Charles Snelling to be postmaster at Elsie, Mich., in place of E. A. Litchfield. Incumbent's commission expired February 9, 1913.

MINNESOTA.

M. Brixius to be postmaster at Watkins, Minn. Office became presidential January 1, 1913.

C. H. Dickey to be postmaster at Wayzata, Minn., in place of Edwin G. Braden. Incumbent's commission expires July 1, 1913.

Erick Erickson to be postmaster at Murdock, Minn. Office became presidential January 1, 1913.

C. F. Lieberg to be postmaster at Clarkfield, Minn., in place of Mathias B. Jensen. Incumbent's commission expired February 9, 1913.

MISSOURI.

J. P. Bauer to be postmaster at Washington, Mo., in place of H. A. Herkstroeter. Incumbent's commission expired December 14, 1912.

Emmett A. Cherry to be postmaster at Adrian, Mo., in place of Warren W. Parish. Incumbent's commission expired January 11, 1913.

William H. Titus to be postmaster at Excelsior Springs, Mo., in place of William E. Templeton. Incumbent's commission expired January 26, 1913.

NEBRASKA.

C. F. Beushausen to be postmaster at Loup City, Nebr., in place of Darwin C. Grow. Incumbent's commission expired January 11, 1913.

Joseph Fenimore to be postmaster at Merna, Nebr., in place of James S. Francis. Incumbent's commission expired March 10, 1912.

Lizzie Smith to be postmaster at Riverton, Nebr. Office became presidential January 1, 1913.

NEVADA.

Jessie E. Burnett to be postmaster at McGill, Nev., in place of Jessie E. Burnett. Incumbent's commission expired December 14, 1912.

NEW JERSEY.

J. B. R. Clark to be postmaster at Califon, N. J., in place of Isaiah Apgar. Incumbent's commission expired January 13, 1913.

Peter A. Donovan to be postmaster at Bayonne, N. J., in place of Otto C. W. Lang. Incumbent's commission expired December 10, 1911.

John L. Opfermann to be postmaster at Highlands, N. J., in place of Alonzo Hand. Incumbent's commission expires June 28, 1913.

NEW YORK.

Charles S. Barney to be postmaster at Milford, N. Y., in place of George Mumford. Incumbent's commission expired December 16, 1912.

Edward Crawford to be postmaster at Pine Bush, N. Y., in place of John L. McKinney. Incumbent's commission expired June 26, 1913.

Merle L. Harder to be postmaster at Ray Brook, N. Y. Office became presidential July 1, 1912.

John Scally to be postmaster at Westbury, N. Y., in place of Alexander S. Taylor. Incumbent's commission expired December 16, 1912.

Joseph A. Weisbeck to be postmaster at Alden, N. Y., in place of Isaac M. Smith. Incumbent's commission expired March 29, 1913.

NORTH CAROLINA.

H. S. Harrison to be postmaster at Enfield, N. C., in place of Thomas H. Dickens. Incumbent's commission expired December 17, 1911.

NORTH DAKOTA.

D. J. Clifford to be postmaster at Mohall, N. Dak., in place of Charles Lano. Incumbent's commission expired February 10, 1913.

George Franklin to be postmaster at Ambrose, N. Dak., in place of Elstow McKeane. Incumbent's commission expired March 1, 1913.

Louise A. Fowler to be postmaster at Sherwood, N. Dak., in place of Perry Brown. Incumbent's commission expired January 14, 1913.

Daniel F. Sweeney to be postmaster at Berthold, N. Dak., in place of Walter E. Krick. Incumbent's commission expired May 18, 1913.

W. T. Wakefield to be postmaster at Mott, N. Dak., in place of Frank I. Bonesho. Incumbent's commission expired January 27, 1913.

OHIO.

L. C. Davison to be postmaster at Dalton, Ohio, in place of H. B. Jameson. Incumbent's commission expired June 2, 1913.

Thomas P. Dodd to be postmaster at Larue, Ohio, in place of George T. Baughman. Incumbent's commission expired May 12, 1913.

Charles E. Gain to be postmaster at London, Ohio, in place of Roscoe G. Hornbeck. Incumbent's commission expired January 13, 1913.

Roy C. Hale to be postmaster at New Vienna, Ohio, in place of De Witt C. Pemberton. Incumbent's commission expired June 12, 1913.

Charles G. Stroup to be postmaster at Lynchburg, Ohio. Office became presidential January 1, 1913.

OKLAHOMA.

T. S. Chambers to be postmaster at Tonkawa, Okla., in place of James Wilkin. Incumbent's commission expired February 11, 1913.

Harry J. Dray to be postmaster at Weatherford, Okla., in place of George Ruddell. Incumbent's commission expired December 17, 1912.

A. R. Duncan to be postmaster at Carmen, Okla., in place of W. T. Barrett. Incumbent's commission expired January 14, 1913.

George M. Massingale to be postmaster at Leedey, Okla. Office became presidential January 1, 1913.

PENNSYLVANIA.

John P. Durkin to be postmaster at Frackville, Pa., in place of Calvin B. Phillips. Incumbent's commission expired January 10, 1911.

Claude W. Freeman to be postmaster at Austin, Pa., in place of William M. Toy. Incumbent's commission expired January 12, 1913.

Richard W. Iobst to be postmaster at Etna, Pa., in place of Uriah H. Wieand. Incumbent's commission expired February 9, 1913.

PORTO RICO.

Ramon A. Rivera to be postmaster at Arecibo, P. R., in place of Ramon A. Rivera. Incumbent's commission expired February 11, 1913.

RHODE ISLAND.

James S. Scully to be postmaster at Crompton, R. I. Office became presidential January 1, 1913.

SOUTH CAROLINA.

Ida A. Calhoun to be postmaster at Clemson College, S. C., in place of Ida A. Calhoun. Incumbent's commission expired January 12, 1913.

SOUTH DAKOTA.

H. B. Brown to be postmaster at Clark, S. Dak., in place of O. H. La Craft. Incumbent's commission expired March 1, 1913.

James L. Minahan to be postmaster at Geddes, S. Dak., in place of F. E. McLaughlin. Incumbent's commission expired May 6, 1913.

James Snow to be postmaster at Midland, S. Dak., in place of J. C. Russell, resigned.

TENNESSEE.

S. M. Barnett to be postmaster at Lexington, Tenn., in place of John L. Murray. Incumbent's commission expired January 31, 1912.

Irene M. Cheairs to be postmaster at Spring Hill, Tenn., in place of W. L. Green. Incumbent's commission expired March 3, 1913.

Mamie Erwin Perkins to be postmaster at Selmer, Tenn. Office became presidential October 1, 1912.

Frank P. Singleton to be postmaster at Copperhill, Tenn., in place of Luther A. Styles. Incumbent's commission expired April 21, 1912.

J. V. Walker to be postmaster at Tracy City, Tenn., in place of William E. Byers. Incumbent's commission expired March 3, 1913.

TEXAS.

Maggie Ellis to be postmaster at Rotan, Tex., in place of G. W. Andruss. Incumbent's commission expired December 16, 1912.

W. F. Flynt to be postmaster at Winters, Tex., in place of T. B. Dillingham, resigned.

Robert Greenwood to be postmaster at Marfa, Tex., in place of Orion L. Niccolis, removed.

E. B. Hopkins to be postmaster at Brazoria, Tex. Office became presidential January 1, 1913.

J. C. S. Morrow to be postmaster at Quanah, Tex., in place of Lyman E. Robbins. Incumbent's commission expired January 12, 1913.

L. B. Richards to be postmaster at Silverton, Tex. Office became presidential January 1, 1913.

UTAH.

Alonzo A. Savage to be postmaster at Hyrum, Utah. Office became presidential January 1, 1913.

VIRGINIA.

Channing M. Goode to be postmaster at College Park, Va., in place of Channing M. Goode. Incumbent's commission expired February 9, 1913.

Eugene Monroe to be postmaster at Purcellville, Va., in place of John W. Gregg. Incumbent's commission expired January 14, 1913.

Claude E. Wiley to be postmaster at Fairfax, Va., in place of Richard R. Farr, removed.

WASHINGTON.

C. M. Durland to be postmaster at Colville, Wash., in place of P. R. Parks. Incumbent's commission expired February 11, 1913.

Charles G. Gehres to be postmaster at Connell, Wash., in place of Emery Troxel, resigned.

C. W. Grant to be postmaster at Toppenish, Wash., in place of W. L. Shearer. Incumbent's commission expired January 28, 1913.

Robert T. Johnson to be postmaster at Sumas, Wash., in place of Orin D. Post. Incumbent's commission expired February 11, 1913.

WISCONSIN.

Theodore Buehler, jr., to be postmaster at Alma, Wis., in place of Edwin F. Ganz, resigned.

Adolph H. Dionne to be postmaster at Lena, Wis. Office became presidential January 1, 1912.

WYOMING.

L. E. Blackwell to be postmaster at Shoshoni, Wyo., in place of Arnold O. Heyer. Incumbent's commission expired March 2, 1912.

John T. Johnson to be postmaster at Superior, Wyo., in place of Henry Harris, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 27, 1913.

COLLECTORS OF CUSTOMS.

James F. C. Griggs to be collector of customs for the district of Florida.

Andrew J. King to be collector of customs for the district of Montana and Idaho.

COLLECTORS OF INTERNAL REVENUE.

Alston D. Watts to be collector of internal revenue for the fifth district of North Carolina.

Aaron O. Blalock to be collector of internal revenue for the district of Georgia.

MINISTER TO THE NETHERLANDS AND LUXEMBURG.

Henry Van Dyke to be envoy extraordinary and minister plenipotentiary of the United States of America to the Netherlands and Luxemburg.

RECEIVER OF PUBLIC MONEYS.

Edward C. Hargadine to be receiver of public moneys at Glasgow, Mont.

REGISTER OF LAND OFFICE.

Thomas R. Jones to be register of the land office at Glasgow, Mont.

APPOINTMENTS IN THE ARMY.

MEDICAL RESERVE CORPS.

To be first lieutenants.

Philip Kingsworth Gilman.
Eugene Franklin McCampbell.
Norman Daniel Morgan.
John Coleman O'Gwynn.
Henry Roth.
Martin John Synnott.
Rufus Adrian Van Voast.

CORPS OF ENGINEERS.

To be second lieutenants.

Cadet Francis Kosier Newcomer.
Cadet Charles Francis Williams.
Cadet Gordon Russell Young.
Cadet Richard Ulysses Nicholas.
Cadet Myron Bertman.
Cadet Leo Jerome Dillow.
Cadet James Archer Dorst.
Cadet Rufus Willard Putnam.
Cadet Lunsford Errett Oliver.

CAVALRY ARM.

To be second lieutenants.

Cadet Allen G. Thurman.
Cadet George Wessely Sliney.
Cadet Eugene Tritle Spencer.
Cadet Willis Dale Crittenger.
Cadet Alfred Bainbridge Johnson.
Cadet Falkner Heard.

Cadet Roland Louis Gaugler.
Cadet Stuart Warren Cramer, jr.
Cadet Thoburn Kaye Brown.
Cadet Silas Miram Ratzkoff.
Cadet Geoffrey Keyes.
Cadet Frederick John Gerstner, jr.
Cadet Clarence Earl Bradburn.
Cadet Joseph Wadsworth Viner.
Cadet John Arthur Considine.
Cadet David Beauregard Falk, jr.
Cadet Earl Lindsey Canady.
Cadet Louis Aleck Craig.
Cadet George Edward Lovell, jr.
Cadet Desmore Otts Nelson.

FIELD ARTILLERY ARM.

To be second lieutenants.

Cadet William Chalmers Young.
Cadet William Carey Crane, jr.
Cadet William Bleacher Rosevear, jr.
Cadet Carlos Brewer.
Cadet David Edward Cain.
Cadet John Eugene McMahon, jr.

COAST ARTILLERY CORPS.

To be second lieutenants.

Cadet Francis Augustus Englehart.
Cadet William Ashley Copthorne.
Cadet Selby Harney Frank.
Cadet Robert Heber Van Volkenburgh.
Cadet Samuel John Heidner.
Cadet Junius Wallace Jones.
Cadet Manning Marius Kimmel, jr.
Cadet Vern Scott Purnell.
Cadet Robert Meredith Perkins.
Cadet Lawrence Babbitt Weeks.
Cadet William Cooper Foote.
Cadet Stewart Shepherd Giffin.
Cadet Ward Elverson Duvall.
Cadet James Brown Gillespie.
Cadet Charles Lawrence Kilburn.
Cadet Redondo Benjamin Sutton.
Cadet Paul Duke Carlisle.
Cadet Francis Joseph Toohey.

INFANTRY ARM.

To be second lieutenants.

Cadet Lewis King Underhill.
Cadet Harold Smith Martin.
Cadet John Huff Van Vliet.
Cadet Leland Swarts Devore.
Cadet Charles Addison Ross.
Cadet Douglass Taft Greene.
Cadet Clarence Hagbart Danielson.
Cadet James Nixon Peale.
Cadet Francis Reuel Fuller.
Cadet Clinton Warden Russell.
Cadet William Richard Schmidt.
Cadet George Lester Hardin.
Cadet Otis Kellholtz Sadler.
Cadet William Henry Jones, jr.
Cadet John Erskine Ardrey.
Cadet Carlyle Hilton Wash.
Cadet Henry Pratt Perrine, jr.
Cadet Dennis Edward McCunniff.
Cadet Henry Balding Lewis.
Cadet Henry Barlow Cheadle.
Cadet Wyndham Meredith Manning.
Cadet Samuel Alexander Gibson.
Cadet Paul Woolever Newgarden.
Cadet Harley Bowman Bullock.
Cadet Charles Andrew King, jr.
Cadet Dana Palmer.
Cadet Alexander McCarrell Patch, jr.
Cadet Charles Bishop Lyman.
Cadet Robert Lily Spragins.
Cadet George Washington Krapf.
Cadet Charles Harrison Corlett.
Cadet Hans Robert Wheat Herwig.
Cadet Howard Calhoun Davidson.
Cadet William Lynn Roberts.
Cadet William Alexander McCulloch.
Cadet Bernard Peter Lamb.

Cadet William Augustus Rafferty.
Cadet Lathe Burton Row.
Cadet John Flowers Crutcher.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. Daniel D. Pullen.
Second Lieut. Carey H. Brown.
Second Lieut. Oscar N. Sohlberg.
Second Lieut. Beverly C. Dunn.
Second Lieut. Donald H. Connolly.
Second Lieut. Raymond F. Fowler.
Second Lieut. David McCoach, jr.
Second Lieut. James G. B. Lampert.
Second Lieut. Philip B. Fleming.
Second Lieut. John W. Stewart.
Second Lieut. Joseph C. Mehaffey.

MEDICAL CORPS.

To be captains.

First Lieut. Albert S. Bowen.
First Lieut. Ernest R. Gentry.
First Lieut. Roy C. Heflebower.
First Lieut. George M. Edwards.
First Lieut. George B. Foster, jr.
First Lieut. Joseph Casper.
First Lieut. Henry Beeuwkes.
First Lieut. Edward M. Welles, jr.
First Lieut. Condon C. McCornack.
First Lieut. William H. Thearle.
First Lieut. Glenn I. Jones.
First Lieut. George W. Cook.
First Lieut. Charles C. Demmer.
First Lieut. Charles T. King.
First Lieut. Thomas H. Johnson.
First Lieut. William H. Allen.
First Lieut. Larry B. McAfee.
First Lieut. Adam E. Schlanser.
First Lieut. Carl E. Holmberg.
First Lieut. John P. Fletcher.
First Lieut. Joseph E. Bastion.
First Lieut. Thomas D. Woodson.
First Lieut. Alexander T. Cooper.
First Lieut. John T. Aydelotte.
First Lieut. Taylor E. Darby.
First Lieut. Thomas C. Austin.
First Lieut. Mark D. Weed.
First Lieut. Edward D. Kremers.
First Lieut. Charles W. Haberkampf.
First Lieut. Harry R. Beery.
First Lieut. James R. Mount.
First Lieut. Royal Reynolds.
First Lieut. James S. Fox.
First Lieut. Felix R. Hill.
First Lieut. Ralph G. De Voe.
First Lieut. Wayne H. Crum.
First Lieut. John A. Burket.
First Lieut. Wilb E. Cooper.
First Lieut. Thomas L. Ferenbaugh.
First Lieut. William L. Sheep.
First Lieut. Edgar C. Jones.
First Lieut. Arthur O. Davis.
First Lieut. Floyd Kramer.
First Lieut. Edward L. Napier.
First Lieut. W. Cole Davis.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Frank K. Chapin.
Second Lieut. Henry L. Watson.

COAST ARTILLERY CORPS.

First Lieut. Philip H. Worcester to be captain.

POSTMASTERS.

ARKANSAS.

N. J. Hazel, Marked Tree.

COLORADO.

W. J. Brown, Rocky Ford.

DELAWARE.

Elijah E. Carey, Millsboro.

ILLINOIS.

Wilson M. Bering, Decatur.
L. P. Cooper, East Alton.
C. A. Fletcher, Mendon.
Frank J. Kelleher, Seneca.
W. L. McCandless, Pinckneyville.
George Petertil, Berwyn.
Hugh C. Smith, Lake Forest.
John W. Starkey, Roodhouse.
Charles J. Wightman, Grayslake.

MAINE.

Frank T. Clarkson, Kittery Point.
R. T. Flavin, West Paris.
S. H. Frost, Pittsfield.

NEW HAMPSHIRE.

Adelia M. Barrows, Hinsdale.

NEW JERSEY.

Harvey Thomas, Atlantic City.

PENNSYLVANIA.

T. F. Berney, Tower City.
Julia C. Gleason, Villanova.
M. L. Griffin, Vandergrift Heights.
J. C. Harding, Windber.
Edward M. Hirsh, Tamaqua.
James Kingsbury, Pottsville.
Frederick E. Obley, West Newton.

TENNESSEE.

W. J. Allen, Wartrace.

WEST VIRGINIA.

Oliver C. Sweeney, St. Marys.

WITHDRAWAL

Executive nomination withdrawn June 27, 1913.

POSTMASTER.

Herman H. Brodham to be postmaster at Manning, S. C.

HOUSE OF REPRESENTATIVES.

FRIDAY, June 27, 1913.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God, Father of all souls, that we can lay aside all political and religious differences and thus meet as brothers at the throne of grace, lifting up our hearts in unison to Thee for all the favors and blessings of the past, and with one accord seek Thy favor and Thy blessing upon the issues of this day, that they may be in accordance with Thy will. In the spirit of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2517. An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees.

GETTYSBURG REUNION.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois [Mr. FOWLER] asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 103) appropriating \$4,000 to defray traveling expenses of soldiers of the Civil War, now residing in the District of Columbia, from Washington, D. C., to Gettysburg, Pa., and return.

Resolved, etc., That to defray the traveling expenses of all honorably discharged soldiers of the Civil War and of all soldiers of the Confederate armies who rendered honorable service therein, now residing in